







Digitized by the Internet Archive  
in 2021 with funding from  
University of Toronto

<https://archive.org/details/31761114652027>











DEBATES OF THE LEGISLATIVE  
ASSEMBLY OF  
UNITED CANADA

Volume IV

Part II

1844-45







DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA

1841-1867

Published under the direction of the

Centre d'Etude du Québec

and the

Centre de recherche en histoire économique du Canada français

General Editor

*Elizabeth Gibbs*

DEBATES OF THE LEGISLATIVE

ASSEMBLY OF

UNITED CANADA

Volume IV, Part II

1844-45

Edited by

*Elizabeth Gibbs*

PRESSE DE L'ECOLE DES HAUTES ETUDES COMMERCIALES

5255, avenue Decelles, Montréal 250, Québec



DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA  
1841-1867

Published under the direction of the  
Centre d'Etude du Québec  
and the  
Centre de recherche en histoire économique du Canada français

---

CENTRE D'ETUDE DU QUEBEC  
Room 462-11, Sir George Williams University  
Montreal 107, Quebec

Director : *Cameron Nish*  
Associate Director : *Jean Hamelin*  
Research Director : *Elizabeth Gibbs*  
Administrative Director : *Ian Campbell*

CENTRE DE RECHERCHE EN HISTOIRE ECONOMIQUE  
DU CANADA FRANCAIS  
5255, avenue Decelles  
Montréal 250, Québec

Directeur : *Pierre Harvey*  
Directeur de la recherche : *Cameron Nish*

---

Research for this volume, as for the previous ones, was substantially supported by Canada Council. The publication of Volume IV, Part 2, was rendered possible with the help of a grant from the Social Science Research Council of Canada and the Humanities Research Council of Canada, using funds provided by the Canada Council.

\*Presses de l'Ecole des hautes études commerciales, 1973

FRIDAY, 7 FEBRUARY 1845.

(238)

Petitions  
brought up.

THE following Petitions were severally  
brought up, and laid on the table:--

By Mr. Chalmers, the Petition of Michael Aikman and others, of  
the township of Barton; and the Petition of the Directors of the Bronti  
Harbour Company.

By the Honourable Mr. DeBleury, the Petition of the Mayor, Aldermen,  
and citizens of the city of Montreal, (relating to the Clerk of weights  
and measures.)

High School,  
Montreal.

An engrossed Bill to incorporate the High  
School of Montreal, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the  
Legislative Council.

Petitions  
referred.

Resolved, That the Petition of James Perchard,  
Abraham Coffin and others, of Gaspé Bay,  
engaged in the Whale, Cod, and other fisheries,  
of the Gulf of St. Lawrence, be referred to a Select Committee, composed  
of Mr. Christie, the Honourable Mr. Laterrière, Mr. Taché, Mr. Hale,  
Mr. Bertrand, Mr. Williams, and Mr. Petrie, to examine the contents  
thereof, and to report thereon with all convenient speed; with power  
to send for persons, papers, and records.

On motion of Mr. Price, seconded by Mr. Dunlop,

Indian  
Department.

Resolved, That an humble Address be presented to  
His Excellency, the Governor General, praying  
that His Excellency will be pleased to cause  
to be laid before this House, the Special Report of the Commissioners  
of Enquiry into the Indian Department, made some time in the month of  
January, 1844, together with any other Report on the same subject, in  
the possession of the Government.

Ordered, That the said Address be presented to His Excellency, the  
Governor General, by such Members of this House, as are of the  
Honourable the Executive Council of this Province.

On motion of Mr. Petrie, seconded by Mr. Williams.

Post Office,  
Bytown.

Resolved, That an humble Address be presented to  
His Excellency, the Governor General, praying  
that His Excellency will be pleased to cause





to be laid before this House, copies of all communications that may have passed between the Provincial Government, and the Deputy Post Master General, subsequent to the first day of January, 1844, relative to the conveyance of the Mail between Montreal and Bytown.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Private Bills.

The Honourable Mr. Morin, from the Standing Committee on Private Bills, presented to the House the tenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Pères Oblats.

Your Committee have considered the Petition of the Reverend Jean C. Leonard, praying for the incorporation of the community of "Reverends Pères Oblats de L'Immaculée Conception de Marie," and being satisfied by the evidence of the Petition, (which is hereto appended) that the objects of the community have a beneficial tendency, they beg to recommend that the prayer of the Petition be complied with.

Dundas  
Incorporation.

Upon the Petitions of John Paterson and others, for the incorporation of the village of Dundas; and of George Rolph, and W. Binkley, and E. Lyons, against any extension of the limits of that village, your Committee were disposed to report favourably, but having been informed by Mr. Chalmers, a Member of your Honourable House, that Mr. William Miller, one of the Petitioners, whom he knows to act as Agent for all of them, has stated that unless it was provided by the Bill, that in the election for Members of the Corporation, the voting be by ballot, the Bill was not desired by the Petitioners; your Committee do not feel authorized to give an opinion on the matter.

(239)

COMMITTEE ROOM,  
7th February, 1845.

Private Bills.

The Reverend Jean Claude Leonard, one of the Religious Community, denominated "Pères Oblats," called in and examined.

Pères Oblats.

You are the Petitioner, and one of the Religious Community mentioned in the Petition? I am.

How many of the Members of your Community mentioned in the Petition, are British subjects, and how many are not? Six of them are British subjects, and ten are not.



Ought not those who are not British subjects to take the oath of allegiance and be naturalized, to enable them to be, and remain Members of the Community? I have not the slightest objection to their doing so.

Would you have any objection to a distinction being made between your Community in this country, as regards its temporal concerns, and all foreign Communities? None whatever.

It would seem by your Petition, that you wish the powers of the Corporation to extend throughout the whole Province? Such is our desire, as we wish to form establishments in several parts of the Province.

Duty on Stills.

The Honourable Mr. Robinson, from the Select Committee to which was referred the Bill to impose a duty on Distillers and Brewers, and on the spirituous and fermented liquors made by them, and to provide for the collection of the said duties, and other references, reported, that the Committee had gone through the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Tuesday next.

Registration of Votes.

Ordered, That the Bill to provide for the registration of persons entitled to vote at elections of Members of the Legislative

Small Debts.

Assembly in Upper Canada; and the Bill to amend an Act, passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the laws now in force in that part of this Province, formerly Upper Canada, for the recovery of small debts, and to make other provision therefor;" be severally read a second time, on Tuesday next, and that they be then the first and second Orders of the Day.

Toronto Incorporation.

Ordered, That the Order of the Day for the House in Committee on the Bill to amend the Act of Incorporation for the city of Toronto, by providing for the establishment of a Court of Record therein, to be called the Recorder's Court, in lieu of the Mayor's Court now established therein; by providing that the Recorder shall preside over the Division Court for the recovery of small debts within the said city and liberties; and by vesting in the Mayor, Aldermen, and Commonalty, of the said city, the power of laying out and opening new streets within the limits of the said city and liberties; and of regulating the mode of building therein, and defining the limits of the said city and liberties, and making a better and more convenient division of the said city into

wards, and for other purposes connected therewith; be postponed until Tuesday next, and that it be then the third Order of the Day.

District Courts  
Upper Canada.

*Ordered, That the Bill to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of District Courts, in the several districts of that part of this Province, formerly Upper Canada; be read a second time, on Tuesday next, and that it be then the fourth Order of the Day.*

Niagara Incorporation.

*Ordered, That the Bill to incorporate the town of Niagara, and to establish a Police therein; and the Bill to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company; for the purpose of constructing a Plank Road from a certain place in Niagara, to the Ten Mile Creek, in Grantham; be*

*severally read a second time, on Wednesday next.*

Trinity House,  
Montreal.

*The Order of the Day for the second reading of the Bill to amend and consolidate certain laws and an ordinance now in force, relating to the powers and duties of the corporation of the Trinity House of Montreal; to pilots and pilotage in the port of Montreal; and to the Montreal Decayed Pilot Fund; and for other purposes, being read,*

*Ordered, That the said Bill be read a second time, on Tuesday, the eighteenth instant.*

Trinity House,  
Quebec.

*The Order of the Day for the second reading of the Bill to amend and consolidate the laws and ordinances now in force, relating to the powers and duties of the corporation of the Trinity House of Quebec; to pilots and pilotage in the port of Quebec; and to the Quebec Decayed Pilot Fund; and for other purposes, being read,*

*Ordered, That the said Bill be read a second time, on Tuesday, the eighteenth instant.*

Elementary  
Instruction,  
Lower Canada.

*The Order of the Day for the second reading of the Bill to make better provision for Elementary instruction in Lower Canada being read,<sup>1</sup>*

((M. D.B. PAPINEAU)) M. l'Orateur, - Avant de faire motion pour la seconde lecture du Bill d'Education que j'ai eu l'honneur de présenter il y a quelques jours à cette honorable chambre, il ne sera pas hors de propos, je pense, de jeter un coup d'oeil en arrière, et voir ce qui peut avoir été fait avant nous, sur ce sujet important.



Lors de la conquête, M. l'orateur, la population de cette province était à près de 75,000 ou 80,000 âmes; et pour pouvoir à l'éducation de cette population nous avions 1<sup>o</sup> les Jésuites, qui par les statuts de leur ordre étaient particulièrement dévoués à l'éducation de la jeunesse. Tout le monde sait et convient que ce corps a toujours été en Europe comme en Amérique celui qui, pendant long-temps, a eu les meilleures méthodes d'enseignement dans toutes les branches d'éducation. Ils possédaient à Montréal une maison, une église et un terrain spacieux où ont été érigés, depuis, l'ancienne cour de justice, maintenant incendiée, la nouvelle cour de justice, et où est maintenant le jardin du gouvernement. Ils possédaient à Québec un superbe collège, dont on a fait, depuis, des casernes, et qui est encore maintenant occupé par des soldats. Outre l'éducation classique qu'ils donnaient dans ce bel et vaste édifice, un grand nombre de leurs membres étaient aussi curés dans les campagnes, et comme les paroisses n'étaient pas très étendues, que la population était peu considérable, ils employaient leurs loisirs à donner à un certain nombre d'enfants une éducation élémentaire, que ceux qui avaient de bonnes dispositions allaient ensuite compléter au collège que l'on nommait dans le temps, le collège des Pères. J'ai pu, moi-même, M. l'orateur, connaître dans ma jeunesse plusieurs de nos concitoyens qui avaient ainsi commencé et perfectionné leur éducation.

Nous avions 2<sup>o</sup> les Récollets. C'était un ordre de frères mendiants; ils n'avaient pas d'autres propriétés que leur couvent, une église et un assez vaste terrain sur lequel ils étaient construits. Mais ceux qui avaient reçu de l'éducation allaient dans les campagnes où les curés séculiers, à qui ils ne demandaient que la vie et l'habit, les recevaient avec joie, les employaient comme sacristains, comme catéchistes, et comme maîtres d'écoles.

Il y avait le séminaire de Québec, dévoué par son institution à la préparation des sujets qui voulaient embrasser l'état ecclésiastique. Il leur enseignait la rhétorique, les mathématiques, la philosophie, et leur faisait faire un cours de théologie.

Il y avait, pour les filles, les Soeurs de la Congrégation qui avaient plusieurs maisons tant dans les villes que dans les campagnes; et aussi les Ursulines qui avaient une maison à Québec et une autre aux Trois-Rivières. De grandes étendues de terrain avaient été données tant par la couronne que par des individus à ces institutions; mais ces propriétés ne produisaient rien alors ou presque rien, parce qu'elles étaient, comme le reste de la province, en plus grande partie couvertes de forêts. Aussi l'Etat, c'est à dire la métropole, leur avait accordé quelques rentes, que l'on regarderait aujourd'hui comme très modiques, mais qui alors leurs étaient d'un grand secours; obtenant aussi de temps à autres une aide pécuniaire soit des maison-mères, quand elles en avaient dans la métropole, soit d'individus charitables, surtout lorsqu'il s'agissait de bâtir.

Ainsi donc, M. l'orateur, pour une population d'un peu plus de 75,000 âmes, nous avions, avant la conquête, cinq grandes institutions d'éducation, dont trois envoyaient leurs membres dans les campagnes et

répandaient, sans presque aucuns frais pour la population, les bienfaits de l'éducation dans toutes les parties habitées de la province, dont la partie peuplée ne s'étendait guères (sic) au-delà de Ste-Anne d'Orléans à de l'île de Montréal, à l'ouest, et au bout de l'île d'Orléans à l'est. Tous ces corps, M. l'orateur, étaient des corps religieux et ont imprimé à la population canadienne un caractère moral et religieux qu'elle a conservé, et que nous devons faire tous nos efforts pour perpétuer. C'est une observation qui a été faite par presque tous les étrangers qui en visitant la province y ont fait quelque séjour, et que je sois flatté de pouvoir répéter. Je dois aussi déclarer, M. l'orateur, que cette observation ne s'applique pas seulement à la population d'origine française, mais à nos compatriotes de toute origine, de toute croyance; et, en effet, on ne peut nier que nos compatriotes protestants n'aient fait preuve de zèle pour la dissémination des principes religieux.

Lors de la conquête, deux de ces grands corps destinés à l'instruction et à l'éducation publique ont été supprimés, et l'Etat ne leur a rien substitué! Nous aurions été laissés sans presque aucuns moyens d'éducation pour les hommes, si les Séminaires de Québec et de Montréal n'étaient venus à notre secours en modifiant les règles de leurs institutions, de manière à suppléer autant qu'il était en eux à l'absence de celles qui avaient été supprimées. Mais je dois dire, M. l'orateur, que le Séminaire de Québec a été le premier à mettre la main à l'oeuvre. Ce n'est qu'en 1773 que le Séminaire de Montréal et les marguilliers de cette paroisse ont acheté la maison de l'intendant, située sur le terrain où est maintenant le Marché-Neuf, et ont fait un collège pour y donner une éducation classique.

Honneur donc à ces deux maisons qui ont fait de si généreux efforts pour réparer la faute commise par un gouvernement mû par des motifs illibéraux de prosélytisme; car tout le monde sait que l'institution royale, dont je parlerai dans un instant, a été établie avec le but de répandre le protestantisme dans nos campagnes, et que ces vues étaient conformes aux instructions royales données à tous les gouverneurs; principes repoussés unanimement par la population. Il est heureux, M. l'orateur, et j'éprouve beaucoup de satisfaction à le dire, que, depuis, des principes plus libéraux ont été adoptés: l'émancipation des catholiques par les autorités impériales a dû essentiellement modifier la conduite du gouvernement anglais tant envers les catholiques qu'envers les autres dissidents répandus dans toute l'étendue de l'immense empire britannique.

Mais avant d'aller plus loin, je crois qu'il est important de lire à cette honorable chambre un extrait d'un mémoire manuscrit qui ne m'a été communiqué qu'hier et qui pourra nous faire voir ce qui a été fait dans la province au sujet de l'éducation. En justice à l'auteur, je dois dire que c'est le travail le mieux fait et le plus complet qui, à ma connaissance, ait été fait sur un objet qui doit avoir tant d'intérêt pour nous. Il m'en a promis une copie, et si cette honorable chambre l'agrée, je le remettrai au comité auquel je me propose de faire référer le bill qui fait le sujet de notre délibération actuelle, afin de le consigner dans nos journaux.

En 1787 (c'est-à-dire 27 après la conquête) le lord Dorchester, alors gouverneur de la province, réfère le sujet de l'éducation à un comité du conseil législatif (lequel avec le gouverneur était toute la législation du temps): le juge en chef et huit autres conseillers composaient le comité.

1789. Rapport du comité du conseil en faveur d'un plan vaste, comprenant entre autres choses l'établissement d'une université établie sur des bases très libérales; mais rien n'a été fait en vertu de ce rapport, venu, à mon avis, un peu tard, quel qu'ait été d'ailleurs son mérite.

1792 et '93. Première session du parlement provincial. La chambre d'assemblée demande que l'on abandonne à la province les biens des Jésuites pour des objets d'éducation; mais elle ne reçoit aucune réponse.

1800. La chambre d'assemblée, par une adresse, fait la demande de documents au sujet des biens des Jésuites, afin d'établir la justice de ses réclamations. Elle ne reçoit qu'une réprimande à cause de sa pertinacité.

Des octrois annuels ont été faits par le gouvernement un peu avant cette époque, en faveur de quelques écoles (dès 1793 et peut-être même avant). En 1793, l'allocation se monte à £150 partagés entre deux écoles, et est graduellement augmentée jusqu'en 1817, qu'elle se montait à £1856 9 3. Il y avait alors 37 écoles fréquentées par 1043 élèves. Durant tout ce temps-là le parlement était informé de ces faits, mais c'était tout; on ne le consultait pas.

1801-2. Etablissement de l'Institution Royale en vertu de l'acte de la 41ème George III, chap. 17; le discours du trône, prononcé par sir R. S. Milnes, lieutenant-gouverneur, promettait une dotation de terres de la couronne pour des écoles et des institutions d'un genre plus élevé.

1803. Rapport approuvé d'un comité du conseil exécutif ordonnant l'octroi de 16 townships en conformité au discours précité de la couronne; et, par une dépêche du 9 septembre, Sa Majesté ordonne une appropriation de 40,000 acres de terre pour deux écoles, une à Québec et l'autre à Montréal. Néanmoins le tout est demeuré sans effet.

1812. Le conseil législatif présente une adresse à la couronne, demandant les revenus des biens des Jésuites pour les employer à des objets d'éducation.

1814. La chambre d'assemblée déclare l'acte de la 41e George III, chap. 17, inutile, et passe un bill d'une teneur très-libérale, qui est perdu dans le conseil législatif. (Entre autres dispositions, ce bill établit des bureaux avec d'amples pouvoirs comme corporations, au moyen de l'élection populaire; ces bureaux ont le droit d'imposer une taxe locale pour l'achat de terrains et bâtisses d'écoles, et sont autorisés à recevoir du receveur-général une somme n'excédant pas £60 par an pour chaque maître d'école).

On peut voir par-là que le principe de taxation locale pour des objets d'intérêts locaux a été proposé dès cette année par les représentants du peuple, qui certainement jouissant de la confiance entière de leurs constituants, n'auraient rien voulu faire de contraire à leur



opinion, quoique ces mêmes représentants aient toujours été opposés à des taxes directes pour le soutien du gouvernement, prétendant que les impôts indirects étaient préférables et plus que suffisants.

1815. L'acte de la 41e George III, chap. 17, condamné de nouveau par un comité spécial de la chambre.

1816. Bill d'éducation introduit dans la chambre, mais non passé en conséquence de la prorogation du parlement.

1817. Renouvellement des résolutions de la chambre contre l'acte de la 41e George III, chap. 17.

1817. Un bill d'éducation est passé par les deux chambres; mais ayant été réservé pour la sanction royale, on n'en a pas entendu parler depuis. Ce bill, sous plusieurs rapports, n'était pas aussi bon que celui de 1814. Le principe d'élection par le peuple est abandonné, certaines personnes sont nommées syndics des écoles, ex officio. Il n'y est fait aucune provision pour allocation pécuniaire ou pour collection d'aucune taxe locale, excepté que, sur preuve que les syndics auraient bâti des écoles d'une certaine espèce et dont les dimensions ne pouvaient excéder 80 pieds sur 40, ils devaient recevoir de la province £2000 par chaque telle école; aucun écolier ne devait payer plus de 5s. par mois, et ce qui serait payé par les élèves devait aller à l'instituteur.

La même année, mais 6 mois plus tard, dix individus sont nommés par l'exécutif pour composer le bureau dirigeant de l'Institution Royale établie en vertu de l'acte de la 41e George III, cap. 17, et cela parce que cette mesure était devenue nécessaire pour accepter un legs fait en 1813 à cette institution par l'honorable James M'Gill, pour fonder un collège qui existe maintenant sous le nom de collège M'Gill.

Comment est-il arrivé que l'on ait mis tant de lenteur dans toute cette affaire? ce serait trop long à dire. Par quelle fatalité les intentions bienveillantes de lord Dorchester, les recommandations du conseil exécutif, les instructions royales ordonnant des octrois de terres en faveur de l'éducation sont-elles demeurées sans effet? c'est ce qu'il me serait difficile d'expliquer, au moins pour le moment.

Dès ce moment-là l'Institution Royale prend la conduite des hautes écoles de Québec, de Montréal et de Kingston (payées à même les fonds des Jésuites) et de toutes les écoles recevant des subventions de l'exécutif. Ces écoles étaient au nombre de 37; le nombre en a augmenté par la suite, mais je ne pense pas qu'en aucun temps elles aient été au nombre de 50. Cette institution (sic) n'a jamais eu d'autre dotation que le legs de M. M'Gill.

1819. Un bill est passé dans la chambre presque dans les mêmes termes que celui de l'année précédente, mais avec le même sort.

1820. Un bill est encore passé presque dans les mêmes termes, mais rejeté dans le conseil législatif.

1823. La chambre passe pour la cinquième fois un bill d'éducation qui échoue dans le conseil législatif.

Cette année, la Société d'éducation de Québec reçoit son premier octroi de £200. La chambre présente une adresse au sujet des biens des Jésuites, elle est référée à la réponse donnée en 1800.

On peut voir par-là que le droit de pétition n'était pas alors ce

qu'il est devenu depuis, et qu'il ne suffisait pas de demander pour obtenir; tous ces refus si constants ne peuvent nous empêcher de penser que dans ce temps-là on ne pouvait tolérer l'idée que le peuple dût se mêler de ses affaires locales, même pour se cotiser pour des objets d'intérêt commun.

1823-24. Passation du bill des fabriques. Ce bill permet aux fabriques d'approprier jusqu'au quart de leurs revenus pour le soutien d'écoles dirigées par elles-mêmes. Il n'a été mis en exécution que dans un petit nombre de paroisses.

La chambre adopte le rapport d'un comité spécial exposant avec force les droits de la province aux biens des Jésuites.

1825. Un bill d'éducation est introduit dans la chambre, mais n'est pas passé.

1826. Pour la première fois l'exécutif demande cette année un octroi en faveur des écoles sous la régie de l'Institution Royale, qui jusqu'alors avait reçu ses allocations sans aucun vote du parlement; la chambre accorde £2000 pour cette année, mais condamne le système; elle accorde ainsi £1650 pour les autres sociétés d'éducation.

1827. Le gouvernement demande £3000 pour l'Institution Royale, et propose une nouvelle organisation du bureau qui sera divisé en deux comités composés, l'un de 11 protestants, l'autre de 11 catholiques, mais le parlement est prorogé avant la passation d'un bill. Néanmoins l'exécutif prend l'argent demandé (c'est si difficile de le laisser échapper quand on l'a pour ainsi dire dans les doigts), puis il trouve qu'il n'a pas, par la loi, le pouvoir de réorganiser l'Institution Royale.

1829. Cette année, enfin, le premier bill général d'éducation est passé par les trois branches (9e George IV, cap. 46); £2000 sont octroyés à l'Institution Royale en sus d'une somme de £300 alloués à son secrétaire pour arrérages de trois années de salaire; £3583 10s sont accordés aux sociétés d'éducation de Québec, Montréal et Trois-Rivières, et aux collèges de St. Hyacinthe et de Chambly; puis, dans certaines proportions, des sommes sont votées pour toutes les écoles qui seraient établies conformément à cet acte; ce bill doit rester en force jusqu'en 1832.

1830. L'acte de l'année précédente est amendé dans quelques-unes de ses dispositions, et des allocations sont faites à l'Institution Royale par le statut de la 10e et 11e George IV, chap. 14.

1831. Des amendements ultérieurs sont faits au bill d'éducation par l'acte de la 1ère Guillaume IV, chap. 15, et des visiteurs d'écoles sont nommés dans tous les comtés.

1832. Le second bill général d'éducation est passé; c'est celui de la 2e Guillaume IV, chap. 31. Les écoles de l'Institution Royale sont mises sur le même pied que les autres. Cet acte doit durer jusqu'au 15 mai 1834.

1833. Quelques amendements faits par l'acte de la 3ème, Guil IV chap. 4.

1834. L'acte de 1832 est continué jusqu'au 1er mai 1836 et quelques amendements y sont faits.

1836. Un bill d'éducation passe dans la chambre d'assemblée, mais

il échoue dans le conseil législatif, et le système d'encouragement pour l'éducation est à sa fin. Il est à remarquer que ce bill est rejeté par le conseil parce que le peuple ne contribue pas directement pour l'éducation, tandis que précédemment ce même corps s'était opposé à cette contribution directe.

En 1841, dans la première session du premier parlement du Canada-Uni, un acte est passé, que le bill que j'ai l'honneur de présenter doit remplacer en plus grande partie, si cette honorable chambre et les autres branches de la législature veulent l'adopter.

Ainsi donc, M. l'orateur, les encouragements donnés par la législature provinciale à l'éducation générale n'ont duré qu'environ sept ans! Quel droit a-t-on donc de reprocher à mes compatriotes leur défaut d'instruction? Les efforts de leurs représentants ont été constants pendant un espace de plus de vingt ans pour leur faciliter tous les moyens de s'instruire, et tous ces efforts n'ont pu avoir d'effet que pendant sept années!

Il faut donc que la législature consente, d'ici à 15 ou 20 ans au moins, à faire des sacrifices, et de grands sacrifices, pour la promotion de l'éducation, jusqu'à ce que la génération croissante soit bien instruite. Alors, connaissant les fruits et les avantages de l'instruction, elle consentira d'elle-même à faire les sacrifices nécessaires pour faire instruire ses enfants; elle regardera leur instruction comme un devoir sacré, comme un devoir aussi obligatoire pour elle que celui de les nourrir et de les habiller.

J'aurai occasion, M. l'orateur, quand on en viendra à la discussion des différentes clauses du bill maintenant sous considération, de faire des observations ultérieures.

Je remercie cette honorable chambre de l'attention qu'elle a bien voulu me donner, et je me flatte qu'elle ne trouvera pas déplacée l'énonciation de faits que je lui ai présentée, non plus que les remarques dont je l'ai accompagnée. Mais, pour ne pas abuser de sa patience je vais de suite procéder en peu de mots à exposer les principes du bill que je lui ai soumis.

1<sup>o</sup>. J'ai séparé l'éducation de toute connexion quelconque avec les municipalités. Ces dernières peuvent agir ou ne pas agir, mais il faut que l'éducation avance et qu'elle ne soit pas entravée dans sa marche.

2<sup>o</sup>. Une cotisation générale est imposée, sur toutes les parties de la province, égale à la subvention de la législature.

3<sup>o</sup>. Dans les cas où quelques townships, paroisses, ou arrondissements d'écoles, n'auraient pas d'écoles en activité les commissaires seront obligés de déposer à intérêt, dans quelque banque d'épargnes, ce qui pourrait leur revenir tant du fonds général des écoles que du fonds local créé par ce bill.

Ils pourront les y laisser accumuler pendant quatre ans s'ils le veulent. Cette disposition, M. l'orateur, me paraît fondée sur l'équité. En effet, le fonds général des écoles n'est-il pas payé par chaque individu de la population? Les localités ne sont-elles pas toutes



également imposées? Pourquoi donc alors les priver de ce dont elles ne peuvent faire usage immédiatement? Il me semble que chacun doit avoir la valeur de ce qu'il a payé; s'il ne peut l'employer aujourd'hui, il l'emploiera demain. Il ne faut pas donner à Jean ce qui est dû à Pierre. D'ailleurs, M. l'orateur, en établissant un aussi grand (sic) nombre d'écoles, dans un temps bien court, il peut se faire que l'on ne puisse facilement se procurer de bons maîtres; et des maîtres ignorants ne font que décourager et entraver l'éducation, au lieu de l'encourager. Les gens diraient: à quoi nous sert d'envoyer nos enfants à l'école? ils n'y apprennent rien. Mais en leur permettant d'accumuler leurs allocations, ils auront le temps de se préparer, de bâtir des maisons d'école convenables, de se procurer l'ameublement nécessaire, et de se pourvoir de maîtres compétents.

40. J'ai introduit dans ce bill une légère capitation sur certaines professions et sur certains corps de métier.

50. Aussi un percentage sur le montant des salaires et honoraires payés aux fonctionnaires publics à même les deniers publics. Il faut, je pense, que ces personnes qui jouissent des avantages que leur procure l'éducation qu'ils ont reçue donnent le bon exemple. Chaque fois qu'ils s'est agi, dans nos campagnes surtout, de quelques cotisations ou répartitions comme on les appelle, soit pour des églises, soit pour des presbytères, ponts, chemins publics, ou autres ouvrages, on se plaignait qu'on fesait porter le fardeau sur la propriété territoriale seulement, et encore à proportion de son étendue et non de sa valeur, tandis quelles professions en étaient, dans le fait, plus ou moins exemptées. Il faut que les classes éclairées fassent voir à celles qui le sont moins qu'elles se soumettent de bon coeur à quelques sacrifices pour l'avantage commun de la société. Et pour quel objet plus important que celui de la dissémination de l'instruction dans toutes les classe (sic), peut-on demander ces sacrifices? Que l'on se rappelle que ceux qui ne jouissent pas des avantages de l'instruction ne peuvent désirer ce qu'il ne connaissent pas.

60. De grands pouvoirs sont donnés au surintendant des écoles. J'aurais hésité, M. l'orateur, à les lui conférer, si je n'avais pas connu l'esprit libéral, les talents, le zèle, l'esprit de conciliation du surintendant actuel. Mais il me semble qu'au commencement d'un système nouveau, il faut un grand pouvoir pour le faire fonctionner. Le surintendant actuel, le docteur Meilleur, a su faire fonctionner, avec avantage, une loi généralement regardée comme impraticable: que ne fera-t-il pas lorsqu'il sera débarrassé des obstacles qui l'entra-vaient? D'ailleurs, M. l'orateur, ses règlements et ses instructions, avant d'être obligatoires, seront soumis à l'approbation de l'exécutif. S'il se glissait quelques abus, il serait facile de les corriger dès leur naissance. Car c'est un des avantages du gouvernement représentatif, que les délégués du peuple étant pris dans toutes les parties de la province, ils peuvent immédiatement mettre sous les yeux de la législature les sujets de plainte qui peuvent exister.

70. Le bill actuel pourvoit à l'établissement d'une école-modèle ou supérieure dans chaque township ou paroisse, et cette école recevra

une allocation plus forte que les autres.

80. Il y aura aussi une évaluation des propriétés territoriales tous les cinq ans, et une évaluation des biens ou meubles apparents tous les ans, les meubles de ménage ou meubles meublants exceptés. Si je ne me trompe, la loi ordonne que le recensement sera fait tous les cinq ans; ce sera le temps le plus convenable pour l'évaluation des biens-fonds. La loi des municipalités que je me propose d'introduire très-prochainement, pourvoira à ce que ces évaluations servent de bases à toutes cotisations locales imposées soit par les autorités locales soit par la législature, pour les objets d'intérêt purement local.

Je ne crois pas, M. l'orateur, que ce bill soit parfait; mais d'après l'expérience que j'ai pu acquérir, ayant presque toujours été nommé syndic ou commissaire d'écoles en vertu des différentes lois d'éducation qui ont été passées par notre législature, et ayant aussi été nommé visiteur des écoles de tout mon comté en 1831, tâches dont je me suis acquitté avec tout le zèle et l'exactitude dont j'étais capable, je crois pouvoir dire que je le regarde comme le plus convenable que l'on puisse adopter dans les circonstances actuelles. Il serait donc nécessaire de l'adopter avec unanimité malgré quelques mécontentements même, de quelques parties de la population. Souvenons-nous que nous devons respecter les préjugés de nos compatriotes, mais non les flatter ni les encourager. Et nous avons des exemples récents qui nous montrent que des lois qui ont d'abord excité des mécontentements ont été ensuite appréciées et goûtées. Combien n'a-t-on pas crié au commencement contre les chemins de barrières! et pourtant il y a devant cette chambre des requêtes qui en demandent de nouveaux dans toutes les directions. On a crié contre l'ordonnance des sleighs: il y a des parties considérables de la province qui en demandent le rétablissement.

Lorsque j'ai exposé, M. l'orateur, les obstacles qui ont été opposés à l'encouragement de l'éducation par une ou même par deux branches de la législature, j'ai voulu faire voir que lorsqu'il y a des dissensions entre les différentes branches de la législature, rien de bien, de bon, ne peut se faire, et que l'exemple du passé doit nous servir de leçon pour l'avenir. Heureusement que l'harmonie existe entre les diverses branches de la législature sous nos nouvelles institutions, et que nous pouvons espérer de réussir non seulement dans l'objet qui fait maintenant le sujet de notre examen, mais dans bien d'autres qui sont d'une importance majeure pour le bien-être de la province.

J'ai de grandes obligations, M. l'orateur, à mon honorable ami le représentant pour le comté de Bellechasse; j'aime à le reconnaître et à l'avouer; j'ai incorporé dans ce bill toutes les dispositions les plus importantes du sien. J'espère, néanmoins, qu'il conviendra qu'il entrerait dans trop de détails et que son projet mettait un peu trop d'entraves pour un fonctionnement avantageux. Le bill qu'il a présenté lors de la dernière session était fait pour des gens très instruits, et malheureusement tout le monde ne l'est pas dans nos campagnes.

Pourtant il faut que la loi soit lue, comprise et mise en exécution par tout le monde pour ainsi dire; chacun étant ou devant être appelé à son tour à l'administrer.

Encore une fois, M. l'Orateur, je remercie cette honorable chambre de l'attention avec laquelle elle a bien voulu m'écouter, et si elle adopte les principes du bill que je lui ai présenté, je me propose de le faire référer à un comité spécial, qui devra l'examiner dans tous ses détails et y faire les corrections convenables.<sup>2</sup>

M. LAFONTAINE se leva et parla ... du passé, de ce qu'on avait fait pour empêcher l'éducation de se propager dans le pays; il accepta les faits cités par le moteur, qu'un roi despote avait plus fait, beaucoup plus fait pour l'éducation que le gouvernement, dont les institutions politiques sont les plus libres et les plus libérales; qu'autrefois ce roi despote (sic) avait donné des propriétés considérables au clergé pour les fins de l'éducation, et que ces belles institutions établies par ce roi despote avaient été converties en casernes par un gouvernement constitutionnel et populaire; qu'il acceptait de bon coeur la mesure de l'honorable membre pour Ottawa; qu'il en trouvait la rédaction diffuse; mais qu'en fait d'éducation, il accepterait tout ce qu'on voudrait bien lui donner; que cette mesure était dans le fond, celle de l'honorable membre pour Bellechasse seulement que la rédaction n'en était pas aussi bonne; qu'il en avait retranché les instructions aux commissaires, mais que ces instructions reviendraient plus mobiles par la voie de l'inspecteur (sic) d'éducation; qu'en adoptant le principe de la mesure de M. Morin, l'honorable membre pour Ottawa justifiait la position qu'avait prise le ministère dans cette occasion; que pourtant toute la famille de l'honorable moteur avait essayé la lutte électorale avec l'ex-ministère sur le principe premier de cette mesure, la taxation; que les feuilles, qui supportent la présente administration, et dans lesquelles écrit quelquefois un membre de l'administration actuelle, n'ont cessé d'insulter la ci-devant administration parce qu'elle voulait taxer le peuple pour l'éducation; et que cependant la nouvelle administration trouvait cette taxation nécessaire.<sup>3</sup>

MR. COLVILLE rose to say a few words on the subject, as he did not wish to give a mere silent vote on a bill of so much importance. Although the admirable speech of that Minister, whose capacity was si crasse et si grossiere had scarcely left him any thing to say.<sup>4</sup>

MR. LAFONTAINE - It was Mr. Johnston who said so.<sup>5</sup>

((MR. COLVILLE continued:)) He could assure the House that as to that part of the bill which related to taxation, no opposition would be offered to it by the habitants of the County he had the honour to represent, nor by any other part of the population. He had spoken to them on the subject some time back, and had even seen some of them since



this bill was introduced, and they were all pleased with it.<sup>6</sup> The French Canadians as a people craved for Education and were willing to make sacrifices to obtain it.<sup>7</sup>

Cheers from both sides of the House.<sup>8</sup>

((MR. COLVILLE continued:)) The sketch which had been read by the member for Ottawa, of the various ways which had been taken to educate the people, was a convincing proof that the ignorance of the Canadians did not arise from any disinclination on their part to receive education. He did not think there would be any opposition to this section from the Canadian population, and he trusted that there would be none from any part of the population of the County of Beauharnois. But if he believed that this Bill would be opposed by the majority of the population, he would despise himself if he did not on such an occasion go against their wishes, in order to procure a sound system of Education. But he believed he should not be obliged to take such a course, but on the contrary that the opinions of his constituents and himself would be in accordance on this important question. The hon. member for Terrebonne had said that the chief argument used against him and his colleagues at the poll, in every County in Lower Canada, was the taxation imposed by this very measure. He, Mr. Colville did not know what might have taken place in other Counties, but he could tell that hon. gentleman that his election did not depend upon the use of any such accusation, and that the County of Beauharnois was free from the charge. The hon. gentleman said the argument had been used in every County in Lower Canada; he Mr. C. would ask him if he had been charged with having used it, and if he had been so told, he desired that hon. gentleman to give him the name of his informant, and he should know how to treat him as he deserved.<sup>9</sup>

MR. LAFONTAINE wished to explain. He did not charge the hon. member with aspersing the late ministry, but said that he would go through all the counties of Lower Canada and as victoriously repel the accusations, brought against himself and his colleagues, as he did in his own County, even in Beauharnois.<sup>10</sup> ((He)) knew nothing about Beauharnois, he had not alluded to ((special information about)) that County.<sup>11</sup>

MR. COLVILLE continued: well, he would venture to say that if the hon. gentleman went to Beauharnois, no such accusation would be brought against him, at least for the honour of the County he trusted it would not.<sup>12</sup>

Hear, hear, from the opposition.<sup>13</sup>

MR. LAFONTAINE was happy to hear it.<sup>14</sup>

((MR. COLVILLE continued:)) With regard to the Bill, he heartily concurred in the principle; he had looked into the detail, in which there were some few things which might be amended, when the Bill came up for discussion in Committee of the whole. For instance there was one clause which enacted that there should be as many School Commissioners in a Township as there were School Districts. Now, in the County of Beauharnois there was one which contained 22 Districts, and he must confess he looked with fear and trembling upon 22 Commissioners meeting together, and expected in such a case they would follow the example set by that august Assembly, and talk a great deal more than they worked.<sup>15</sup> (hear, hear.)<sup>16</sup>

M. MORIN se leva et dit qu'il était satisfait que l'administration eût pris en mains sa mesure; qu'il était donc justifié par là des accusations sans cesse portées contre lui par les journaux de l'administration; qu'on lui avait fait opposition dans un comité à cause de cette mesure même, et que malgré les cris, il avait été élu dans deux comtés, etc.<sup>17</sup>

M. TACHE ... commença par lire un article de L'AURORE, dans lequel ce journal accuse l'ex-ministère d'avoir voulu taxer le peuple pour l'éducation; puis ((il a parlé à propos des)) moyens d'influence ((dont il accuse)) le ministère actuel ((de s'être)) servi dans tous les comtés aux jours d'élections.<sup>18</sup>

DR. DUNLOP said, hon. gentlemen opposite seemed very anxious to claim this Bill as their own, and he could not understand why there should be any discussion about whose property it was. If it was a good measure let them vote for it, if it was not let it be rejected. In the nineteenth century he did not expect to hear it argued whether or no the people should be taxed for the purpose of Education; he thought that the advancement of the age had established that point. It was a duty incumbent upon that House to furnish the people with moral and religious Education; without this being done there was no use in their making Canals and Railroads; the country could not prosper if the people were no better than the oxen that worked in the fields. It had been said "Keep people in ignorance, and you can govern them; instruct them and they will govern themselves." Now, he wanted to see them able to govern themselves. The less education the people possessed, the less they felt the want of it, it was therefore the duty of that House to feel for them and to tax them for their own benefit in this particular.<sup>19</sup> When a man wants his dinner, he wouldn't know very well where to get it, except he had been shewn; and on the same principle, the people cannot set about any thing rightly without education; and that could only be done by some uniform method throughout the country.<sup>20</sup> He was guilty of frequently referring to his own country, and was about to do so again - the people of Scotland were to be found in every quarter of the globe, but nowhere were they hewers of wood or

drawers of water; and the reason was because the people were taxed for the maintenance of good schools in every parish, and the means of education were given to the poorest.<sup>21</sup> If hon. gentleman would take up a map of the world, they would find that Scotland was a mere speck on it.<sup>22</sup> But how great was the space it filled in the moral world. The larger countries France, England, and Germany might be equal to her in that respect, as they ought to be considering their greater number of inhabitants<sup>23</sup>. England had a much larger number of inhabitants; France had eight times, and proud Germany twenty-five times its population; and yet he could ask did it not stand pre-eminent amongst them all in a moral point of view.<sup>24</sup> The literature of Scotland stood conspicuously forth to the world's eye.<sup>25</sup> And that not because the Aberdeen or Glasgow Universities were superior to those in other countries: no such thing, but because schools were established in every parish in the country.<sup>26</sup> The Educational system of Scotland had broken down the ancient monopoly of greatness, and opened the doors of Fame to every competitor. The small start which the wealthy father was able to give his son was lost and of no accord, when the son of the peasant was equally well educated with the son of the peer. He hoped to see a similar system introduced into this Colony, and it would be the greatest blessing ever conferred upon it. He believed the Bill before the House was well calculated for the purpose, and he would support it.<sup>27</sup>

The Speaker ((SIR ALLAN MACNAB)) called the attention of the House to the bill, which, as it involved an appropriation of monies, should originate in a committee of the whole: and, consequently, its introduction in its present shape was out of order.<sup>28</sup>

(239)

*Notice was taken, that the Bill contained provisions authorizing the imposing of taxes, and was not founded upon any previous resolution of this House.*

Ordered, That the said Order of the Day be discharged.

Ordered, That the Honourable Mr. Papineau have leave to withdraw the said Bill.

MR. PAPINEAU withdrew the bill<sup>29</sup>.

(239)

*On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. DeBleury,*

Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider the expediency of imposing a tax, or rate, for the purposes of providing for Elementary instruction, in Lower Canada.



A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery,

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Convent  
Three Rivers.

An Act to authorize the Nuns of the Ursuline Convent at Three Rivers to acquire and hold additional real and immovable property to a certain amount.

Geological  
Survey.

An Act to make provision for a Geological Survey of this Province.

Clergy voting  
at Elections.

An Act to repeal that portion of the Act therein mentioned which prevents members of the Clergy from voting at elections of Members to serve in the Legislative Assembly of this Province.

Insolvent  
Debtors.

An Act to afford relief to Insolvent Debtors.  
And then he withdrew.

(240)

On motion of the Honourable Mr. Robinson, seconded by the Honourable Mr. Attorney General Smith,

Duties on  
Customs.

Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider the expediency of repealing certain Acts, granting duties on Customs, and enacting others in lieu thereof.

Outrages,  
Public Works.

The Order of the Day for the second reading of the Bill for the better preservation of the peace, and the prevention of riots and violent outrages at, and near public works, while in progress of construction, being read,

Notice was taken that the Bill contained provisions authorizing the imposing of taxes, and was not founded upon any previous resolution of this House.

Ordered, That the said Order of the Day be discharged.

Ordered, That the Honourable Mr. Attorney General Smith have leave to withdraw the said Bill.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Papineau,

Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to take into consideration the propriety of providing for the better preservation of the peace, and the prevention of riots and violent outrages at, and near public works, while in progress of construction, and of granting a sum of money for the purpose of carrying into effect the same.

Independence of the Assembly. The Order of the Day for the second reading of the Bill, to amend an Act of the Province of Canada, intituled, "An Act for better securing the independence of the Legislative Assembly of this Province," being read,

Ordered, That the said Bill be read a second time on Monday next, and that it be then the first Order of the Day.

Gaspé and Gulf Fishery. The Order of the Day for the House in Committee, to take into consideration the expedience of affording encouragement to the Gaspé and Gulf fisheries, carried on from this Province, by exempting salt and other articles, indispensable to the fisheries, from duties, being read,<sup>30</sup>

MR. CHRISTIE complained of the delay which had ((elapsed)) by putting off his bill from time to time, to ((meet the wishes)) of the administration, who had promised<sup>31</sup> to introduce a measure to effect the required reduction.<sup>32</sup>

The Attorney General ((MR. J. SMITH)) called the hon. member to order, he was stating what was not the fact.<sup>33</sup>

MR. CHRISTIE did not know that his hon. friend the Attorney-General, was solely the adminis((tration, he had)) said that the administration gave this promise.<sup>34</sup>

The Speaker ((SIR ALLAN MACNAB)) called the house to order, as there was nothing before the chair.<sup>35</sup>

(240)

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the chair of the Committee,

MR. CHRISTIE explained how the case stood. ((The)) Attorney-General had said he did not state the facts. ((He)) would not speak to that. At the outset of the se((ssion he)) gave notice that as one penny a bushel was paid on ((?)) in the Fisheries, and the fisherman lost that amount ((?)) besides the duty on a variety of other articles ((he would)) introduce a bill to exempt those articles from duty ((but at)) the request of the administration, had put it off ((until the)) beginning of the session, in order to meet ((their request)).<sup>36</sup>

The Attorney General ((J. SMITH)) said there was a misstatement ((which had)) occurred in the hon. gentleman's observations. He ((gave a)) promise that the government would exempt those ((fishermen from the)) duty, but had informed the hon. member that ((several relevant)) Bills would shortly be introduced, and he could ((move an)) amendment, if they did not meet his views.<sup>37</sup>

MR. CHRISTIE heard that for the first time. He certainly ((had expected)) the Government would introduce a clause to ((amend)) the Customs Bill, and if it were not for that expectation, he would at the first have pushed forward his ((motion)).<sup>38</sup>

MR. ROBINSON could not have given such a promise, and ((having inquired)) into the circumstances, found that it should ((?)), as the salt brought into Gaspé, duty free, ((was taken)) into other parts of the Province and there ((taxed a)) duty being so trifling, a shilling per ton, it ((was not)) worth talking about, and there would be no ((?)), if the hon. gentleman persisted that ((the Gaspé)) could not afford to pay it. For his own part, ((never would he)) have given such a promise, and if the hon. ((member only)) would wait until the Government measures were ((introduced)), he could move an amendment to effect his ((object.)) ((He)) therefore hoped he would see the necessity of ((permitting the)) committee to rise, report progress, and ask leave ((to sit again)).<sup>39</sup>

MR. DRUMMOND felt it to be his duty to a brother member, ((because)) he was under the same impression as Mr. ((Christie in)) regard to the Attorney General's promising ((to exempt some)) articles from duty. He and several other ((members)) had felt a good deal of mortification during the ((beginning of)) the session, at the frequent repetition of these ((denials. It)) was a fact that statements were frequently ((given by the)) administration which were afterwards contra((dicted, therefore he)) would advise hon. gentlemen for the future, ((not to make)) promises they were not prepared to fulfil.<sup>40</sup>

MR. MCCONNELL had been present when the Attorney General spoke to Mr. Christie upon this Bill, and distinctly understood him to say no more than he Mr. S. had admitted.<sup>41</sup>

(240)

*and after sometime spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Armstrong reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Friday next.*



Cayuga Glass  
Company.

The Order of the Day for the second reading of the Bill, to revive an Act passed in the Parliament of the late Province of Upper Canada, to incorporate certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company, being read,

Mr. Thompson moved, seconded by Mr. Merritt, that the said Bill be now read a second time, and that the seventy-first rule of this House be dispensed with, in so far as relates to this motion.<sup>42</sup>

MR. THOMPSON ... explained that a Charter had been granted to the Company, but had been forfeited through its not going into operation, on account of the troubles of 1837.<sup>43</sup>

MESSRS. ((HENRY)) SMITH, (Frontenac,) JOHNSTON and DUGGAN, opposed the second reading because £10, the sum required to be deposited on all private Bills, had not been paid in.<sup>44</sup>

MR. MERRITT hoped the house would consent to allow the ((bill to proceed)) without this payment; because a Glass Manu((factory)) was an experiment which had not hitherto been tried ... and because the bill had in former sessions ((been permitted)) to go through several stages without this ((requirement being)) complied with.<sup>45</sup>

Further conversation ((ensued)).<sup>46</sup>

(240)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Berthelot, Bertrand, Cauchon, Chalmers, Cummings, Desaunier, Jobin, Lacoste, LaFontaine, Laterrière, Macdonald of GLENGARRY, Macdonell of STORMONT, Merritt, Morin, Powell, Price, Robinson, Roblin, Rousseau, Seymour, Sherwood of BROCKVILLE, Small, Smith of WENTWORTH, Stewart of BYTOWN, Taché and Thompson.--(27.)

NAYS.

Baldwin, Boulton, Brooks, Chauveau, Christie, Colvile, Daly, DeBleury, DeWitt, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Guillet, Hale, Hall, Johnston, Lantier, LeMoine, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Meyers, Moffatt, Murney, Papineau, Scott, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Taschereau, Watts, Webster and Williams.--(38.)

*So it passed in the negative.*

Tax on Dogs.

*The Order of the Day for the House in Committee on the Bill to empower the District Councils in Upper Canada, to impose a Tax on dogs, and to regulate Temperance houses within their respective districts, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Boulton took the chair of the Committee,*<sup>47</sup>

((The clause)) limiting the amount of tax to be levied on ((each dog)) per annum was then passed.<sup>48</sup>

((Upon the)) second clause which relates to hounds, Mr. ((?)) proposed that the tax upon them should be one ((?)).<sup>49</sup>

((?)) thought that if gentlemen kept hounds for their ((own lesiure)) they ought, at least, to pay the same for them ((as the)) farmer who was obliged to keep common dogs ((for his farm.)) He also wished to know how the distinction ((was to be)) made between a dog and a hound? For his own ((part he owned)) a bull dog, and he should certainly call it a ((bull when)) the collector came round.<sup>50</sup>

((MR. GEORGE)) SHERWOOD (Brockville) said the hon. member might ((well learn)) how the difference between a horse and a bull ((was to be)) ascertained.<sup>51</sup>

The clause relating to hounds was struck out leaving them included under the provisions of the ((other clause.))<sup>52</sup>

MR. JOHNSTON ((moved)) a clause ... added to ((the bill to provide)) for the exemption of one dog ((on each farm)) from the tax.<sup>53</sup>

((This clause was agreed to.))<sup>54</sup>

(240)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Boulton reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Mr. Speaker having put the question,*

*Shall the Report be now received?*

*Mr. Macdonell, of Dundas, moved, in amendment, seconded by Mr. Macdonald, of Cornwall, that the words, "this day six months," be substituted for the word "now."*

*The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*Boulton, Chauveau, Christie, Gowan, Greive, Hale, Lantier, Laterrière, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of DUNDAS, Méthot, Meyers, Scott, Smith of FRONTENAC, and Stewart of BYTOWN--(17.)*

NAYS.

*Baldwin, Brooks, Cauchon, Chalmers, Colvile, Cummings, DeWitt, Duggan, Dunlop, Ermatinger, Foster, Guillet, Hall, Jessup, Jobin, Johnston, Lacoste, LaFontaine, M'Connell, Moffatt, Morin, Powell, Petrie, Price, Robinson, Roblin, Rousseau, Sherwood of BROCKVILLE, Small, Attorney General Smith, Smith of WENTWORTH, Stewart, of PRESCOTT, Taché, Taschereau, Thompson, Webster, and Williams--(37.)*

*So it passed in the negative.*

*Ordered, That the Report be received, on Monday next.*

(241)

*Toll-Bridge,  
Richelieu.*

*The Order of the Day for the House in Committee on the Bill to authorize John Yule, junior, to build a toll bridge over the River Richelieu, in the parish of St. Joseph de Chambly; to fix the rates of toll for passing thereon; and to provide regulations for the same, being read,*

*Ordered, That the said Order of the Day be postponed until Wednesday next.*

*Savings  
Banks.*

*The Order of the Day for the second reading of the Bill to amend the Act therein mentioned, for the establishment and encouragement of Savings Banks, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*



Mr. Dunlop took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dunlop reported that the Committee had gone through the Bill without making any amendments thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Right of voting  
at County  
Elections.

The Order of the Day for the second reading of the Bill to remove doubts as to the right of any person to vote at any county election in Upper Canada, upon property lying in any city or town represented in the Provincial Parliament, being read,

Mr. Macdonald, of Glengarry, moved, seconded by Mr. Johnston,

That the said Bill be now read a second time.<sup>55</sup>

((MR. J. S.)) MACDONALD (Glengarry) said, that there was one great ((advantage that)) belonged to this Bill; it was a short one. He ((supported)) it to remove the doubts which had existed as ((to the right )) of freeholders in corporate towns to vote at the ((elections for their)) counties: he had known several persons vote at ((a county)) election in consequence of the Returning ((Officer being)) in ignorance of the law; although he was ((familiar with)) the opinions of the most eminent lawyers in ((Upper Canada,)) yet they were so opposed to one another that ((they were unable)) to decide upon what the law really required.<sup>56</sup>

(241)

Mr. Smith of Frontenac, moved, in amendment, seconded by Mr. Williams, that the words "now," in the said motion, be struck out, and the words "this day six months" substituted.

MR. H. SMITH (Frontenac) thought that as the Bill was a ((short one)) so its merits were short also. He believed that ((there was no)) necessity for this bill to remove doubts, simply ((because no)) doubts existed. He himself had never had any, ((and had there)) been some in the minds of other persons, ((the opinion of his hon.)) friend from the Fourth Riding of York must ((have settled)) them. By the Constitutional Act, a system of ((representation)) had been granted to the country; and, till ((? there)) was no representation of towns, in that year ((representation was)) given to corporate towns and cities to send members ((to)) Parliament, and to government to increase that ((representation)) in proportion as the population increased, that ((meant that)) every town which contained 1,000 souls was ((to have a))

representative, and whenever it reached 4,000, was ((to have two)) representatives. By that bill it was enacted that ((anyone)) who had a right to vote in towns should have the ((same right)) at County Elections; without that enactment, ((the Municipal)) bill of his hon. friend for the Fourth Riding of ((York could not)) have set the question at rest; for, by it, it is ((enacted that)) no person shall vote for a county unless he vote ((in the township)) in which the property for which he claims ((ownership)) is located; and then the next clause makes a distinction ((between)) towns and townships.<sup>57</sup>

MR. BALDWIN was of opinion that a declaratory act of this nature was necessary. He had no doubt himself upon the subject, but others had, and contrary opinions had been given by eminent Counsel to Returning Officers, which had led to the votes being received upon some occasions. The passage of this Bill would remove all doubts, and save expense and trouble of Elections contested upon this point.<sup>58</sup>

MR. JOHNSTON was in favor of the Bill. There were doubts existing upon this subject. In his own election, persons had voted in the County upon property which they had previously voted upon in the town of Brockville.<sup>59</sup>

MR. WILLIAMS thought that the gentleman who had introduced the Bill did not understand the subject upon which he proposed to legislate. As the law now stood a person holding a property worth £1000 in a town, unless a house stood thereon, could not vote in the town or country; he was in fact unrepresented.<sup>60</sup>

MR. ((ROLLAND)) MACDONALD of Cornwall, stated that it was his intention to oppose the bill. It proposed to settle doubts which in his opinion did not exist; that difficulty however, he would be inclined to get over if the bill had the effect of solving those doubts in favour of the branches, instead of curtailing it. He considered it a hardship that an individual having a free hold of 40s sterling value per annum, should not be entitled to vote when his neighbour voted in precisely the same qualification, - merely because the one happened to reside on ... an imaginary line and his neighbour on the other. Before the town of Cornwall became entitled to send a member to Parliament all persons so situated had a right to vote for the County wherein the town is situated. The interpretation put upon the law by this declaratory bill deprived those individuals (who are not entitled to vote for a member for this town) of a right which they at all events had before the town became entitled to representation; and the consequence would be that, ... that property although paying taxes would be wholly unrepresented. He would also oppose the bill upon the ground which was urged last night in opposition to this bill brought in by the honorable member for Terrebonne. He thought that the matter might safely lie over until a general measure applicable to both Upper and Lower Canada should be brought in by the administration.

The law had stood as it was for many years, and no great inconvenience could arise by its remaining in the same state for a few months longer. He concluded by confidently appealing to the liberal members filling the opposite benches to vote against a measure which had the effect of curtailing the franchise instead of extending it. He would however, vote for the Bill if it was made applicable to those persons alone, who were now entitled to vote for a representative for the town, in which their freeholds were situated.<sup>61</sup>

(241)

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Brooks, Chalmers, Colville, Daly, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Meyers, Moffatt, Papineau, Petrie, Robinson, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Webster, and Williams.--(26.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Christie, Cummings, Desaunier, DeWitt, Drummond, Guillet, Jobin, Johnston, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, M'Connell, Merritt, Méthot, Morin, Powell, Price, Prince, Roblin, Rousseau, Smith of Wentworth, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, and Thompson.--(34.)

So it passed in the negative.

The question being then put on the main motion, a division ensued, and it was carried in the affirmative.

The said Bill was accordingly read.

Mr. Macdonald, of Glengarry, moved, seconded by Colonel Prince, that the said Bill be now engrossed.

Mr. Gowan moved, seconded by Mr. Hale, that the further consideration of the question be postponed until Friday next.

The question having been put on Mr. Gowan's motion, a division ensued, and it passed in the negative.



Right of voting  
at County  
Elections.

Mr. Macdonald, of Cornwall, then moved, in amendment, seconded by Mr. Williams, That all the words after the word "Bill" in the said motion, be struck out, and the following substituted, "be now committed to a Committee of the whole House, in order to enable him to move that the following words be added after the word "thereof" in the fourth line of the enacting clause, viz.: "and entitled to vote for a member of Parliament for the said town."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Brooks, Chalmers, Colville, Daly, Duggan, Ermatinger, Foster, Gowan, Greive, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Petrie, Robinson, Smith of FRONTENAC, Attorney General Smith, Webster, and Williams.--(23.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Christie, Desautier, DeWitt, Drummond, Guillet, Jobin, Johnston, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Merritt, Méthot, Morin, Powell, Price, Prince, Roblin, Rousseau, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, and Thompson--(32.)

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and

Ordered, That the said Bill be engrossed.

Protection of  
Wild Fowl.

The Order of the Day for the second reading of the Bill to protect wild fowl, and to prevent them from being destroyed at improper seasons of the year, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House, on Monday next.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Seignioriness of  
Beauharnois.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to direct the proper officer to lay before the House copies of the several Instruments of transfer and sale, under which the present and the late proprietors of the seignioriness of Beauharnois came into possession thereof; and to pray further for a Statement of the amount paid to the Crown as droits de quint upon the said transfers.

Report of the Honourable Francis Ward Primrose, Inspector General of Her Majesty's Domain, and Clerk of the Land Roll, bearing date the 1st of February, 1845, relative to certain Instruments, &c., asked for by an Address of the Legislative Assembly of the 13th January, 1845:--

I have the honour to state, that the Right Honourable Edward Ellice, the late proprietor of the Seignioriness of Beauharnois, came into the possession thereof under the will of the late Alexander Ellice, Esquire, his father, and an arrangement made with his brothers and sisters, Co-legatees under the same will, on which transfer and mutation of the said Seignioriness, no quint accrued to the Crown, and none was therefore either demanded or paid: that the said Edward Ellice, having in the year 1831, made application to the then Governor-in-Chief for commutation of the tenure of the said Seignioriness, under the provisions of the Imperial Acts in such case made and provided, the same was referred to me as Inspector General of Her Majesty's Domain, and Clerk of the Land Roll, for a certificate as to whether any objection existed to the granting of the said Petition, and whether all arrears of dues, for,

(242)

and in respect of the same, had been duly paid and satisfied; upon which reference I reported on the 18th November, 1831, that all arrears of dues had been paid, and that I was humbly of opinion that the prayer of the said Petition might be granted.

It appears by an Act of Fealty and Hommage rendered for the said Seignioriness, by the said Alexander Ellice, on the 21st May, 1798, and recorded in my office, that the said Alexander Ellice, paid on the 2nd May, 1798, to the Receiver General, the sum of £1200 currency for quint, upon the sum of £9000 currency, the consideration of his purchase of the said Seignioriness from Mr. Michel Chartier de Lotbinière, one third deducted as customary. I have the honour further to state, that there are no other documents or information in my office with reference to the subject matter in question, my duty at the period when this application was made, being confined to what I have already stated. I should add, however, that Mr. Edward Ellice, I believe, completed the commutation of tenure of the said Seignioriness in the usual manner, and on the usual terms, and subsequently to such commutation, sold it to the present

proprietors. On such subsequent sale and transfer, no droit de quint could of course accrue to the Crown, and the title by which such transfer was made, has consequently never been exhibited at my office.

*Certified a true Copy.*

D. DALY,  
Secretary.

Roman Catho-  
lic Bishops of  
Toronto and  
Kingston.

*The Order of the Day for the House in Committee on the Bill to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Macdonald of Glengarry, took the chair of the Committee,*<sup>62</sup>

MR. BOULTON ... contended that the power of holding property to an unlimited amount was too extensive to be safely vested in any corporation.<sup>63</sup>

MESSRS. DUGGAN, WILLIAMS and DUNLOP ... contend((ed)) that the Church of England and all Dissenters enjoyed the same privileges, and it would be injustice to the Church of Rome not to be put on the same footing.<sup>64</sup>

(242)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Macdonald, of Glengarry, reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

Ordered, That the said Committee have leave to sit again, on Monday next.

Reduction of  
Salaries.

*The Order of the Day for the House in Committee on the Bill to reduce, in accordance with the circumstances of the Province, certain salaries, not on the Civil List thereof; and to fund fees of office, allowing the incumbents fixed salaries in lieu, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Powell took the chair of the Committee,*<sup>65</sup>



MR. CHRISTIE explained the principle of the bill, which was that no officer shall hold more than one office. He did not intend to interfere with salaries which were not more than £300. Every officer receiving more than £100 in fees shall make a statement thereof under oath. And he was happy to say that these amendments to his bill as originally introduced were made with the unanimous consent of the select Committee to whom it was referred.<sup>66</sup>

MR. GOWAN approved of the principle of the Bill, and would be happy to support any Bill doing away with a plurality of offices, and would like to see, as an established rule, that no one shall hold two offices of emolument under the Civil List in future. And for this reason, that the country did not want those offices to be filled up with individuals mindful only of their own interests. If one office would not support them in comfort they should be paid better.<sup>67</sup>

MR. ROBINSON did not think this Bill would work well. These offices would be filled up by persons of very inferior abilities, as no person of good talents would be induced to accept of an office which would not support him in comfort.<sup>68</sup>

((There were)) a few other remarks.<sup>69</sup>

(242)

*and after sometime spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Powell reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Wednesday next.*

*Ordered, That the remaining Orders of the Day, be postponed until Monday next, and that they be then the first Orders of the Day.*

*Then, the House adjourned until Monday next.*

APPENDIX, 7 FEBRUARY 1845.

((NOTICE OF PROPOSED MOTION.))

MR. ROBINSON gave notice that he would, on Monday, move the House into Committee of the Whole on the Customs Bill.<sup>70</sup>

FOOTNOTES - 7 FEBRUARY 1845.

1. The debate on this matter was reported by: LE CANADIEN, 17 February 1845, and L'AUREOLE, 18 February 1845, in identical accounts; BRITISH COLONIST, 21 February 1845, and KINGSTON CHRONICLE, 19 February 1845, in identical accounts which were translations of LE CANADIEN'S and L'AUREOLE'S version of Papineau's speech; KINGSTON NEWS, 13 February 1845, MONTREAL GAZETTE, 11 February 1845, and BRITISH WHIG, 14 February 1845, in identical accounts; LE JOURNAL DE QUEBEC, 13 February 1845; KINGSTON CHRONICLE, 15 February 1845, BRITISH COLONIST, 18 February 1845, and GLOBE, 18 February 1845, in accounts which are identical except that in the KINGSTON CHRONICLE, and the GLOBE, some speeches have been omitted entirely; and LA MINERVE 10, 17 February 1845. A commentary was contained in LE JOURNAL DE QUEBEC, 1 March 1845.
2. LE CANADIEN, 17 February 1845.
3. LE JOURNAL DE QUEBEC, 1 March 1845.
4. BRITISH COLONIST, 18 February 1845. On 4 February 1845, Mr. Aylwin used these words to describe D. B. Papineau in a withdrawn motion to investigate the administration of Crown Lands. This phrase was later referred to in the debate as an example of unparliamentary language.
5. IBID. In the same debate on his motion to investigate the administration of Crown Lands, Johnston had also described Papineau as incompetent.
6. IBID.
7. MONTREAL GAZETTE, 11 February 1845.
8. IBID.
9. IBID.
10. BRITISH COLONIST, 18 February 1845.
11. MONTREAL GAZETTE, 11 February 1845.
12. IBID.
13. BRITISH COLONIST, 18 February 1845.
14. IBID.
15. MONTREAL GAZETTE, 11 February 1845.
16. BRITISH COLONIST, 18 February 1845.
17. LE JOURNAL DE QUEBEC, 1 March 1845.
18. IBID.
19. MONTREAL GAZETTE, 11 February 1845.
20. BRITISH COLONIST, 18 February 1845.
21. MONTREAL GAZETTE, 11 February 1845.
22. BRITISH COLONIST, 18 February 1845.
23. MONTREAL GAZETTE, 11 February 1845.
24. BRITISH COLONIST, 18 February 1845.
25. MONTREAL GAZETTE, 11 February 1845.
26. BRITISH COLONIST, 18 February 1845.
27. MONTREAL GAZETTE, 11 February 1845.
28. BRITISH COLONIST, 18 February 1845.
29. IBID.
30. The debate on this matter was reported by: MONTREAL GAZETTE, 11 February 1845, KINGSTON NEWS, 13 February 1845, and BRITISH WHIG, 14 February 1845, in identical accounts; and GLOBE, 18 February 1845.
31. GLOBE, 18 February 1845.



32. MONTREAL GAZETTE, 11 February 1845.
33. GLOBE, 18 February 1845.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. MONTREAL GAZETTE, 11 February 1845.
42. The debate on this matter was reported by: MONTREAL GAZETTE, 11 February 1845, KINGSTON NEWS, 13 February 1845, and BRITISH WHIG, 14 February 1845, in identical accounts; and GLOBE, 18 February 1845.
43. MONTREAL GAZETTE, 11 February 1845.
44. IBID.
45. GLOBE, 18 February 1845.
46. IBID.
47. The debate on this matter was reported by: MONTREAL GAZETTE, 11 February 1845, and the CHATHAM GLEANER, 18 February 1845, in identical accounts; and GLOBE, 18 February 1845. The GLOBE is virtually illegible; the names of several speakers are simply not printed at all.
48. GLOBE, 18 February 1845.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. The debate on this matter was reported by: MONTREAL GAZETTE, 11 February 1845, KINGSTON NEWS, 13 February 1845, and BRITISH WHIG, 14 February 1845, in identical accounts; and GLOBE, 18 February 1845. Parts of the GLOBE, which contains a fuller account of the debate than the MONTREAL GAZETTE, are completely illegible; parts of the MONTREAL GAZETTE are very difficult to decipher as well. A commentary was contained in LE JOURNAL DE QUEBEC, 15 February 1845.
56. GLOBE, 18 February 1845.
57. IBID.
58. MONTREAL GAZETTE, 11 February 1845.
59. IBID.
60. IBID.
61. IBID.
62. The debate on this matter was reported by: KINGSTON CHRONICLE, 15 February 1845, and the GLOBE, 18 February 1845, in identical accounts; and LA MINERVE, 10 February 1845.
63. GLOBE, 18 February 1845.
64. KINGSTON CHRONICLE, 15 February 1845.
65. The debate on this matter was reported by: KINGSTON CHRONICLE, 15 February 1845; and the GLOBE, 18 February 1845.

- 66. KINGSTON CHRONICLE, 15 February 1845.
- 67. IBID.
- 68. IBID.
- 69. IBID.
- 70. IBID.

MONDAY, 10 FEBRUARY 1845.

(242)

A MESSAGE from His Excellency, the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:--

MR. SPEAKER,

His Excellency, the Governor General, desires the immediate attendance of this Honourable House, in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber.

And being returned,

Royal Assent.

Mr. Speaker reported, that agreeable to the commands of His Excellency, the Governor General, the House had attended His Excellency, in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:--

Taxes, District of Wellington.

An Act to provide more effectually for the collection of certain arrears of Taxes on lands, in the district of Wellington, and other districts, and better to define the limits of the said district of Wellington.

Gaspé Fishing and Coal Mining Company.

An Act to approve and confirm an Act of the Imperial Parliament of Great Britain, relating to the Gaspé Fishery and Coal Mining Company.

Landholders, Upper Canada.

An Act to repeal certain Acts therein mentioned, and to make better provision for the relief of parties claiming lands in Upper Canada, for which no patent hath issued as representing the original nominees of the Crown.

Church Lands, Simcoe.

An Act to enable the Trustees, holding a certain lot in the town of Simcoe, for the use of a Church, to sell and convey the same, or any portion thereof, and to appropriate the proceeds to a like use.

Clergymen meeting at Elections.

An Act to indemnify Clergymen and others, who have voted at the last general election in ignorance of the law.

Destitute Mariners.

An Act for the relief of shipwrecked and destitute Mariners, in certain cases therein mentioned.

Macadamized Roads, U.C.

An Act to repeal a certain part of an Act of Upper Canada, relating to Macadamized Roads, and to

revive, with reference to such roads, part of a certain other Act, relative to public highways and roads in Upper Canada.

Peace Officers,  
Sherbrooke.

An Act to extend to the town of Sherbrooke, the provisions of a certain ordinance therein mentioned, relating to the appointment of Peace-Officers and Constables; and also to explain the jurisdiction of the General Sessions of the Peace for the district of St. Francis.

Board of Trade  
Toronto.

An Act to incorporate the Board of Trade, of the city of Toronto.

Counties and  
Districts, U.C.

An Act for beter defining the limits of the counties and districts in Upper Canada; for erecting townships from some counties, and attaching them to others; and for other purposes relative to the division of Upper Canada into townships, counties, and districts.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Webster, the Petition of William Reynolds and others, of that part of the township of Woolwich, in the district of Wellington, commonly called the Pilkington Block; the Petition of D. Henderson and others, of the township of Nichol; the Petition of A. D. Fordyce and others, of the township of Nichol, in the district of Wellington; and the Petition of William C. Boyd and others, of the township of St. Vincent, and other places.

By the Honourable Mr. Baldwin, the Petition of Charles Colquhoun and others, of St. Thomas and vicinity, in the district of London.

(243)

By the Honourable Mr. LaFontaine, the Petition of the Reverend F. P. Porlier and others, Commissioners of Schools for the parish of Terrebonne.

By Mr. Stewart, of Bytown, the Petition of Edward Mallock, Esquire.

By the Honourable Mr. Morin, the Petition J. Brazeau and others, residing in the Province, and engaged and concerned in the Timber trade of Canada.

By Mr. Macdonald, of Glengarry, the Petition of James Coin and others, of the second consession of the township of Winchester, in the county of Dundas.

By Mr. Macdonald, of Cornwall, the Petition of Archibald Mason, of the town of Cornwall, in the Eastern district, mason.



By Mr. Brooks, the Petition of the Reverend William Jones and others, members of the United Church of England and Ireland, in the township of Eaton (relating to Clergy Reserves); and the Petition of the Reverend William King and others, members of the Church of England, in the township of Bury.

By Mr. Macdonell, of Dundas, the Petition of Caleb Truax, of Cornwall, on behalf of himself and Andrew Key.

By Mr. Watts, the Petition of the Reverend Richard Lonsdell and others, of the township of Tingwick, and parts adjacent, in the district of St. Francis.

By the Honourable Mr. Moffatt, the Petition of the Montreal Board of Trade, (relating to a Railroad).

By Mr. Lantier, the Petition of the Reverend A. O. Giroux, Curé of L'Isle Perrot.

Election, Third  
Riding York.

Mr. Speaker acquainted the House that he had received the Report of the Commissioners appointed to take evidence in the matter of the contested election for the Third Riding of the county of York.

Mr. Speaker communicated to the House, the following letter:--

To the Honourable Sir Allan MacNab, Speaker of the Legislative Assembly:--  
SIR,

I take the liberty of addressing myself to you as Speaker of the Legislative Assembly, to inform you that I have in my possession, the portrait of Her Majesty, Queen Victoria, drawn at full length, and that I would be willing to dispose of it, should it meet the views of that branch of the Legislature to authorize the purchase thereof, in order to place it in the House of Parliament, according to the practice followed by the House of Assembly of Lower Canada. This portrait is a copy of one by the celebrated Sully, and has been considered by good judges, as a faithful reproduction of the excellent original; and it is very probable that had it not been for the events which brought on a change in the Capital of Canada, the Legislature would have purchased it.

I addressed, in August last, a letter to the Honourable Mr. Cuvillier, who gave me a favourable answer, which has, I believe, been communicated to you; may I presume that in renewing my offer to you, it will be favourably entertained, and that you will be pleased, should you not take upon yourself to purchase this portrait, to lay my request before the Honourable Body over which you preside, and to lend me, with that Body, your influence.

*The price at which I would sell the portrait, would be £75.*

*Accept, Sir, the assurance of my distinguished regard.*

*JOS. LEGARE, Jr.*

Quebec, 1st February, 1845.

Savings Banks.

*An engrossed Bill to amend the Act therein mentioned, for the establishment and encouragement of Savings Banks, was read for the third time.*

Resolved, That the Bill do pass.

Ordered, That Mr. Boulton do carry the said Bill to the Legislative Council, and desire their concurrence.

Right of vot-  
ing at County  
Elections.

*Pursuant to the resolution of this House of the ninth of September, 1842, the engrossed Bill to remove doubts as to the right of any persons to vote at any county election in Upper Canada, upon property lying in any city or town represented in the Provincial Parliament, was brought up to be read for the third time.<sup>1</sup>*

MR. ((J.S.)) MACDONALD of Glengary (sic), wished to postpone the third reading of a "Bill to remove doubts of voting in certain cases," because those who wished to throw out the Bill had mustered strong. Mr. M'Donald ... refused to move the third reading, or to postpone it to any given time<sup>2</sup>.

(243)

*Mr. Macdonell, of Dundas, moved, seconded by Mr. Stewart, of Bytown, that the said Bill be read for the third time, on this day five months.*

MR. ((GEORGE)) MACDONELL, of Dundas said, he had been a strenuous supporter of this measure, but he was not ashamed to say that he had been convinced that he was in error.<sup>3</sup> Since he, with several others on his side of the House, had voted in favour of this bill he discovered that it involved a species of Legislation which that House had not the power to effect; it went to declare the meaning of an Act passed by the Imperial Parliament and this he thought the House could not constitutionally do. He would have no objection to vote for an address to the Throne setting forth the doubt which existed, and praying for a declaratory enactment.<sup>4</sup>

MR. LAFONTAINE a demandé au ministère de dire ce qu'il pensait de la motion de M. McDonnell de Dundas qui tendait à renvoyer à 5 mois la troisième lecture de ce bill; qu'à la deuxième lecture il avait donné son vote en silence; mais que pour cette fois il devait parler puisqu'on avait

droit de connaître son opinion.<sup>5</sup>

The Attorney and Solicitor Generals ((MESSRS. JAMES SMITH AND HENRY SHERWOOD)) contended that the Ministry had a right to vote in silence, and that it was not competent to any hon. member to question them as to their intentions.<sup>6</sup>

MR. MORIN said, the opposition had a right to ask the Government, if there was a Government in that House, if it intended to support any measure before the House.<sup>7</sup>

M. LE PROCUREUR-GENERAL ((JAMES SMITH)) demanda à Baldwin s'il était obligé de parler<sup>8</sup>.

MR. BALDWIN thought the Hon. Attorney-General must be aware that the House had a right to ask such questions and Ministers were bound to answer. He wished to know if Ministers supported the monstrous proposition brought forward by the member for Dundas; he hoped they would not skulk behind his back, but if such was their intention to state it, and abide the consequences.<sup>9</sup>

MR. LAFONTAINE spoke ... in French on the right of the House to legislate as the bill in question proposed. He said the Imperial statute was constantly being interpreted by decisions of the House on election contests, and that being the case the right claimed by the bill was perfectly clear. Mr. Lafontaine ... complimented him ((the Attorney General)) on the legal acumen which his support of the motion of the Hon. member for Dundas would display, and said it would be a suitable addition to his fame as an authority on "written Constitutions"<sup>10</sup>.

The Attorney General ((MR. JAMES SMITH)) de((1))aimed again((s))t the opinions and "the peculiar ratiocination" of Mr. Lafontaine, and maintained that the House had not the power to declare what was the meaning ((of)) an Imperial Statute. In conclusion he told the House that he had been misrepresented on the question of the written constitution, and that his opinions were those of Hallam and Macaulay (sic).<sup>11</sup>

MR. GOWAN said, when hon. gentlemen opposite asked ministers such a question, they appeared to be troubled with treacherous memories; he believed they were in the House on Friday evening when ministers voted against this Bill. He contended that the Act which his Bill intended to explain being an Imperial Act, could not be legislated upon by that House. It was not competent to an inferior to revise or declare upon the judgments of a Superior Court. What would be thought if in a Municipal Council any dispute should arise upon the interpretation of the act which created it, and that Council were to pass a judgment in the matter, and declare in what manner that Act was to be interpreted? That House had no power to declare what were views of the Imperial Parliament. If doubts arose as to the construction of the law conferring the Elective Franchise, it was usual to interpret



it in favor of the extension, not the limitation of the Franchise. The Provincial Parliament by the Act of Union had ((been)) given power to divide counties for Electoral purposes, but that House had no power to deprive a single individual of his right to vote. If this law were passed it would have the effect of depriving those persons in towns, who were possessed of freeholds not having a house thereon, and therefore not entitled to vote therein, of the right to vote in the County in which the town is situated. It was a law to disqualify certain electors, and therefore one which that House had no power to make. The argument made use of by the member for Dundas was not a monstrous proposition, and he would vote for his motion.<sup>12</sup>

MR. SMALL said that the argument of the Member for Dundas, that a person holding a freehold in a town had a right to vote in the County, was, as it had been called, a monstrous proposition. That House had the right to make a declaratory act upon any Act of the Imperial Parliament. It had been held by the first lawyers of Upper Canada, that the Provincial Legislature had the right to curtail the elective franchise; but that it had not the power to extend it. He remembered upon the occasion of a Bill having been brought into the Parliament of Upper Canada, for the purpose of giving the right of voting to persons holding lease-holds, upon which they had made improvement, the present Chief Justice had given his opinion, that the House had not the power to give any such right, but it might limit the franchise in any manner it pleased. This Act did not, however, curtail the franchise, for every person who had now a house upon his town lot, possessed that right; it merely interpreted the law, which although perfectly clear to him, there had been doubts upon.<sup>13</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD said he had two objections to this Bill. In the first place the hon. gentleman had said that the law upon the subject was perfectly clear, that according to the spirit and intention of the law, these persons had no right to vote. If such was the case, there could be no reason why that House should be troubled to make that clear, which was already so. If it was held to be necessary to pass a Declaratory Act, upon every law, on which legal gentlemen put a different construction, the whole time of the House would be occupied in passing Declaratory Acts, for there was no Act of any importance upon which different opinions as to the interpretation did not exist. Upon this ground he was prepared to vote to throw out the Bill. He would not at that time give any opinion upon the right of that House to alter an Imperial Act; but this he would say, it had not the power to do it in the manner that this Bill proposed. For argument sake he would assume that the House had power to alter the laws of the Imperial Parliament relative to Upper and Lower Canada, that alteration must be effected by a Bill introduced for that purpose, and not by an Act declaring what the Imperial did or did not mean, when it passed that law. If it was in the power of that House to alter an Imperial Statute, let it do so; but it could not by an enactment declare the meaning of it. Suppose, for the



sake of argument, that he, (Mr. Sherwood) owned a property in a town, and tendered his vote to the Returning Officer, who refused to receive it, and he were to bring an action against him before the Judges of the Court of Queen's Bench; would not they interpret the law, according to the Imperial Statute, without reference to any Declaratory Act that this House might pass; and if the Court was of opinion that he had a right to vote, the Declaratory Act of this House to the contrary notwithstanding, his action would be maintained against the Returning Officer. If power was given to that House by the 27th section of the Union Act to repeal all or any portion of any Act passed by the Imperial Legislature prior to the passage of that Act, of course it had the right to do so; but it had not the right to declare what was the intention of the Imperial Parliament. He would now come to the simple merits of the question. A man might be possessed of a freehold of six acres within the limits of a town entitled to send a Representative to Parliament but ((if he had not)) a house thereon, he was not qualified to vote therein, why had he not a right to vote in the county? And yet this Bill would have the effect of disqualifying him. He could see no reason, why he should be unrepresented any more than his neighbour, possessing a qualification of far less value. If he had no vote in the town, he ought to have a vote in the county. And therefore he contended that the introduction of any measure to curtail that right was arbitrary and unconstitutional. The member for Terrebonne had asked the Attorney-General what course Ministers intended to take in this matter, and the member for the Fourth Riding of York had shown a great deal of surprise, that he had not thought proper to give him an answer. It was competent to the Government to take what course it pleased on any question brought before the House by an independent member, either by a silent vote or otherwise, and no member in that House, and particularly one upon the opposition benches had a right to ask such a question. Had he himself been a member of the Cabinet, and such a question had been put to him, he would not have answered it.<sup>14</sup>

MR. LAFONTAINE spoke in French at considerable length in favor of the Bill. He contended that the operation of the Law at present without this Declaratory Act was unjust by giving two votes to one person. He ridiculed the position of Ministers ... and made fun of the legal and political knowledge of the Attorney General, referring to that gentleman's remarks upon the written constitution of England.<sup>15</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, he had no idea when this debate commenced that it would have taken the time it had. He found that it had been made the vehicle of another of those violent attacks upon the Administration by which hon. gentlemen hoped to be able to upset him and his colleagues. And doubtless if such a course were persevered in a few times oftener it would have that effect. He felt the full power of the irony and ridicule of the discourse of the member for Terrebonne, but he had yet to learn that it contained a single argument to shake the opinions

which had been expressed upon that side of the House upon this subject. They were told that that House had the power to modify or destroy an act of the Imperial Parliament. Scrap the speech of the honourable gentleman of all its artificial circumstances and it stood forth as nothing else. If that gentleman was prepared to sustain such a monstrous doctrine by his legal power, he wished him joy of it, but he would not be backed therein by that side of the House. The hon. gentleman had alluded to the stars upon these benches; such allusion did not come home to Ministers, neither would they shake their position, nor destroy the principles upon which they contended that this Bill was unconstitutional. It was not competent to that House to pass a declaratory Act upon an Imperial Statute; that House was not justified in altering any such law. The law laid down that every person possessing a freehold of a certain value did not possess a vote either in a town or a county. And the law as it so stood, must remain until altered or repealed by competent authority. He would put it to the hon. member for the Fourth Riding of York if it was in the power of the Provincial Parliament to alter the qualification of voters as established by the 20th Section of the Imperial Statute. He was sure that he would not sustain such a monstrous proposition, and if the member for Terrebonne had held such a doctrine, he had mistaken the law altogether. That qualification was the great pivot upon which the whole representative system turned, and the Provincial Legislature could neither modify nor destroy it. There was nothing in the Act of Union to enable them to extend the franchise; they might add restrictions, or change the manner of voting, but they could not alter the qualification of the voter. He hoped that hon. gentlemen would seriously consider before they declared that that House had the power to interfere with the Electoral franchise. It was asserted that Parliament was the ultimate judge of the right of the voters to vote, and therefore it had a right to declare what the meaning of the Statute was. But the Judicial Committee had only the right to see whether the voting was carried on in accordance with the Act. It was one thing to interpret the Act judicially, and another thing to say that it meant one thing when by its reading it was evident that it meant another; the one proposition was as distinct from the other as day from night. The passage of this law would be an unconstitutional Act, for there was nothing in the Union Act to justify such an assumption of power. That House might vary Provincial Laws, but it could not change an Imperial Statute; it could not alter the qualification of a voter, or deprive the single individual of the right to vote. It was said that the Proclamation of Sir Andrew Clarke gave to the inhabitants of cities the right to vote, and that such a proclamation therefore became part of the Imperial law, and that as it was in the power of that House to alter the intention of that proclamation, so was it also in its power to alter any other portion of the Act. He had been called upon to argue upon this subject suddenly and without preparation, and with all respect for the opinion of the House, he would say, that at that moment it was his conviction, that if there was no existing law of Upper Canada which explicitly declared that the householder who voted upon his own freehold,

in a city or town, should not have a right to vote in the County in which that town was situated - then he would say that it was his conviction that that freeholder possessed a double vote; that he had a right to vote in the town or city as a house holder, and in the County by virtue of his freehold. To say that a proclamation fixing the limits of a city, became a portion of the Imperial Law, was a monstrous proposition, and one which exceeded all possibility or probability of belief. He would tell that Hon. gentleman, if Ministers were stars, he was a planet and one most eccentric and erratic in his course. Such a proclamation was a mere Ministerial Act of the Governor for the time being, done in accordance with the power given by this statute, and therefore could not form any portion of the law itself. Every man who knew anything of the law, must know this. The law itself contained only the enacting clauses. The advocacy of such an opinion entitled the Hon. Member for Terrebonne to rank as a planet rolling round the little stars about him; but if he thought to revolve in that hemisphere with such opinions, he would probably disappear and not be heard of again for a thousand years<sup>16</sup>.

"Like a comet with a long tail" ((a member cried out.)) (Cheers!)<sup>17</sup>

((MR. AT. GEN. SMITH resumed:)) It had been said that Hon. gentlemen opposite had a right to demand of Ministers the course they intended to adopt with regard to any particular measure. He had yet to learn, that in the House of Commons it was the custom, before any debate had taken place, to put such a question to Ministers. It had been said that all questions relative to election matters had been made Ministerial questions. If the Member for Terrebonne had any candor, he would not have made such an assertion. Ministers had avoided all discussion upon these subjects, and left them entirely to the House, as the more consistent, the more decorous course. It was time that they had voted, which they had a perfect right to do. The Member for Terrebonne, had also upon this occasion, made use of the old standing joke against him, upon the written Constitution of England. What he had said upon that subject had been misrepresented; he had never said that the Constitution of England was a written Constitution. But he had said that the Consitution of England in respect of the great Charters which explained and affirmed the liberties of the people, was a written Constitution. And if Hon. gentlemen would consult Hallam and Macaulay, they would find that if he had erred in so saying, he had erred in good company.<sup>18</sup>

MR. DRUMMOND - Have you consulted them since?<sup>19</sup>

MR. ATTY. GEN. ((JAMES)) SMITH continued. He would recommend the Member for Portneuf to consult them, and he would not then fall into the errors he did. If he had erred, he repeated, he had erred in company with greater lights than the stars of the opposition. He concluded by stating his intention to oppose the Bill.<sup>20</sup>



MR. AYLWIN spoke at some length in favour of the Bill. The Hon. gentleman's arguments, however, formed but a small portion of his speech, which consisted principally of sarcasm and attempts to ridicule the position of Ministers. He was surprised, he said, to observe the mode of warfare which had been adopted by Her Majesty's Attorney and Solicitor General.<sup>21</sup>

Laughter and cries of "you began it yourself."<sup>22</sup>

((MR. AYLWIN resumed:)) He was surprised at the course taken by the highest born servants of the Crown upon this occasion. If this Act was an unconstitutional one, how was it that the discovery had been made so lately? - how was it that Ministers had not opposed it on that ground upon the evening when it had been previously debated. Ministers had placed themselves in a singular position by adopting the arguments of the Member for Leeds, behind whom they were in the habit of following when legal questions were discussed. But ((t))hat gentleman was most unfortunate in his law; he had never known him upon any occasion to take a correct view of a legal point, and upon the present occasion he was as far wrong as ever, in fact he had surpassed himself in error. He contended that as regarded the power of that House to interpret an Imperial Statute a Justice of the Peace or any other officer who had the administering of the law was entitled to interpret it and give judgment thereon according to his opinion of its meaning. If the election for Cornwall were contested, or that for London, which was the more likely to occur, any questions which might arise on the interpretation of the Imperial Law of election would be then before a Committee of 9 Members of this House, and 5 of those Members, that was a majority of one, would determine upon the construction to be placed upon the law; and yet it was said that that House had the right to declare what was the meaning of an Imperial Statute. It was competent for a Committee chosen by that House to determine in this matter, it was equally competent to the House itself to do the same. It was said that that House had no right to repeal an Imperial Statute. Who doubted it? But this Act did not repeal the Imperial Statute; it was merely a declaratory Act, giving us symbolic declaration of the intention of the Imperial Legislature. Times were much changed now; he remembered, when in bad times, when the liberty of the advocate was not safe; he had himself contended for this very principle, against stipendiary Magistrates and epauletted officers, and it was then maintained that the power of the Provincial Parliament was supreme. And this was under an administration of which the Member for Megantic - who had been in all ministries, and agreed to all the Acts of all governments - formed one. If it could be shown him that this bill had the effect of allowing or repealing the Imperial Act, at that late hour, he was prepared to vote against it. But he concluded according to the Union Act there was power given to that House to alter the election law in every respect, excepting that of the qualification of Members to sit in that House. If Hon. gentlemen on the other side voted against this Bill on the reason they had given, the day would come when they would be made to blush for it. (Laughter and Cheers.)<sup>23</sup>



(243)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

## YEAS.

Boulton, Brooks, Chalmers, Colville, Cummings, Daly, Dickson, Duggan, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, McConnell, Meyers, Moffatt, Papineau, Petrie, Robinson, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, and Williams.-- (35.)

## NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chauveau, Christie, Désautier, DeWitt, Drummond, Gillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonnell of STORMONT, Merritt, Méthot, Morin, Powell, Price, Prince, Roblin, Rousseau, Small, Smith of WENTWORTH, Taché, Taschereau, and Thompson.-- (34.)

So it was carried in the affirmative, and

Ordered, That the said Bill be read for the third time, this day five months.

MR. JOHNSTON wished to offer a few remarks upon the subject<sup>24</sup>.

((He was)) prevented from so doing<sup>25</sup>.

(243)

Petitions read.

Pursuant to the Order of the Day, the following Petitions were severally read:--

Of the Reverend William Morris and others, members of the Church of England, at Huntingdon, in the county of Beauharnois, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a share of the Clergy Reserves, as shall correspond with their proportion of the income arising from the same.

Of E. Larue and others, of the county of Lotbinière, praying that the Registry office of the said county be transferred to St. Antoine de Tilly.

Of the Reverend Etienne Baillargeon and others, of the parish of St. Nicolas, in the county of Dorchester, praying that they may be separated from the county of Dorchester, and annexed to the county of Lotbinière.

Of the Reverend J. Wilson and others, members of the United Church of England and Ireland, in the mission of Colborne and Grafton, in the diocese of Toronto; and of the Reverend George W. Warr and others, members of the United Church of England and Ireland, in the township of Trafalgar, in Upper Canada; praying for the repeal of the Common School Act, and the

(244)

adoption of some system under which religious instruction may be provided.

Of Nathaniel Bell, of Nelson, in the district of Gore, surgeon, praying that he may be paid certain arrears of his pension as a Militia-man, having served during the late war with the United States, and received a wound, from which he has always suffered.

Of Baxter Bowman, Esquire, and others, of the county of Ottawa, praying that the Canadian Lumber trade may be protected by equalizing the duties, and imposing a duty of twenty-five per cent on the actual value of all American sawed lumber.

Of Robert M'Kay and Peter M'Kay, of Montreal, praying for the payment of an amount still due them as contractors on the St. Lawrence Canal.

Of H. Nesbitt and others, of the township of Sherrington, in the county of Huntingdon, praying that the said township may be set apart from the parish of St. Edward, as a separate electoral division.

Of Michael Aikman and others, of the township of Barton, praying for aid to macadamize the road leading from Hamilton to Grimsby.

Of the Directors of the Bronte Harbour Company, praying for an extension of the time allowed by their charter to complete the said harbour.

Of the Mayor, Aldermen, and Citizens, of the city of Montreal, praying that a provision be introduced into the proposed Bill relative to the incorporation of the said city, giving to the City Surveyor similar power to that which he exercised under the Act 39 George III. chapter 9; and clearly defining the duties of the office of Clerk of Weights and Measures, and conferring the nomination to the said office upon the Council of the said city.

Petitions  
referred.

Rev. W. Morris  
and others.

Ordered, That the Petition of the Reverend William Morris and others, members of the Church of England at Huntingdon, in the county of Beauharnois, be referred to the Select Committee to which was referred the Petition of the Church Society of the diocese of Toronto, and other references.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable

Mr. Baldwin,

Ordered, That the several Petitions received by this House during the present Session in reference to duties of Customs, be referred to the Committee of the whole House on the Report of the Select Committee of the whole House on the Report of the Select Committee to which was referred the Bill to impose a duty on Distillers and Brewers, and on the spirituous and fermented liquors made by them, and to provide for the collection of the said duties; and on the amendments made by the said Select Committee to the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial revenue, and other references.

Printing and Binding.

Mr. Gowan, from the Standing Committee on Printing and Binding, presented to the House the Third Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

That since their last Report your Committee have proceeded to advertise for the Printing and Binding of the Journals and Appendix of your Honourable House, for the present Session. On the 10th instant the following Tenders were received for that work, viz:--

	Composition, per 1000 ems.		Press-work, per Token.	Binding per. volume.
	English.	French.		
	s. d.	s. d.	s. d.	s. d.
Derbshire and { Journals	2 0	2 0	1 3	
Desbarats, { Appendix	1 5	1 5	1 1	4 6
Chapleau and Lamothe ...	...	...	...	3 11½
Edward John Barker (Kingston) ...	1 4½	1 4½	1 6	4 6
Lovell and Gibson ...	1 6	1 6	1 6	4 0
Campbell and Perrault ...	1 5	1 5	0 10	3 6
J.B. Frechette, senior, (Quebec) ...	...	1 8	2 6	4 0
N. Aubin (Quebec) ...	...	2 10	...	4 0

On a careful computation of these Tenders, taking the quantity of matter contained in the Journals and Appendix of the last Session as the basis, the result is as follows:

	£	s.	d.	£	s.	d.
<b>DESBARATS AND DERBISHIRE.</b>						
<u>Journal.</u>						
Composition, at 2s. per 1000 ems, 125 sheets, being 40s. each sheet, is	250	0	0			
Press-work, 708 token, at 1s. 3d., is	44	5	0			
<u>Appendix.</u>						
Composition, at 1s. 5d. per 1000 ems, 1000 sheets, being 24s. 4d. each sheet, is ...	1416	13	4			
Press-work, 3858 token, at 1s. 1d., is	208	19	6			
				1919	17	10
<b>EDWARD JOHN BARKER.</b>						
<u>Journal and Appendix.</u>						
Composition, at 1s. 4½d. per 1000 ems, 1125 sheets, at 27s. 6d. per sheet, is ...	1546	17	6			
Press-work, 4566 token, at 1s. 6d., is	342	9	0			
				1889	6	6
<b>LOVELL AND GIBSON.</b>						
<u>Journal and Appendix.</u>						
Composition, at 1s. 6d. per 1000 ems, on 1125 sheets, is ...	1687	10	0			
Press-work, 4566 token, at 1s. 6d., is	342	9	0			
				2029	19	0
<b>CAMPELL AND PERRAULT.</b>						
<u>Journal and Appendix.</u>						
Composition, at 1s. 5d. per 1000 ems, or 28s. 4d. per sheet, for 1125 sheets, is ...	1593	15	0			
Press-work, 4566 token, at 10d., is	190	5	0			
				1784	0	0



## RECAPITULATION FOR PRINTING.

	£	s.	d.
Desbarats and Derbyshire ... ..	1919	17	10
E. J. Barker ... ..	1889	6	6
Lovell and Gibson ... ..	2029	19	0
Campbell and Perrault ... ..	1784	0	0

FOR BINDING.  
(1800 Volumes.)

	s.	d.		£	s.	d.
Derbyshire and Desbarats ...	4	6	per vol.	405	0	0
E. J. Barker ...	4	6	do	405	0	0
Lovell and Gibson ...	4	0	do	360	0	0
Chapleau and Lamothe...	3	11 $\frac{1}{2}$	do	356	5	0
Campbell and Perrault ...	3	6	do	315	0	0

Of which Tenders your Committee accepted the lowest, viz:--

That of CAMPBELL and PERRAULT.

Your Committee have to add that should your Honourable House concur with them in accepting the Tender of the said CAMPBELL and PERRAULT, they intend to call on the parties to enter into good and sufficient sureties for the due and faithful performance by them of the work, based upon their Tender.

(245)

Petition of J.  
D. M'Kenzie  
and others.

Mr. Dickson, from the Select Committee to which was referred the Petition of John D. M'Kenzie and others, of the township of Beverley, in the district of Gore, and other places, with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have examined the Petition of John D. M'Kenzie, which sets forth, that in the year 1804, a grant was made to John Clement, of a certain tract of land in the township of Beverley, in the Gore district, called the Gore, between that township and Dumfries, which said land

subsequently became the property of the Petitioners. The township of Beverley was originally surveyed by one Stegman, a Deputy Provincial Surveyor, by order of the Government. In the year 1838, a Provincial Statute was passed for the purpose of settling the differences and disputes existing in the various districts of that part of this Province, formerly called Upper Canada, whereby Commissioners were appointed in each district, for the purpose of settling the said disputes, and to establish boundaries.

The Commissioners appointed by the said Statute for the Gore district, entered upon the discharge of their duties, and in the course of their investigation, ascertained that a deficiency existed in the quantity of land which certain concessions of the said township should have contained had the original survey been correct, and which deficiency was supplied by taking 668 acres of the land of the Petitioners in the Gore aforesaid, in accordance with the award of the Commissioners, which has been valued with the buildings and improvements, at one thousand eight hundred and sixty-two pounds, ten shillings, and for which they have received no compensation.

Your Committee are of opinion that this case is one of peculiar hardship, inasmuch as the Government, in the first place, directed an individual to survey the township of Beverley, through whose inattention or ignorance, the errors are committed, which cause the difficulties that exist; and in consequence the Government, in the year 1804, made certain grants of land in the said township to various persons; and among others, the Gore, to the said John Clement. It becomes the property of the Petitioners, they possess it, improve it, and render it valuable; thirty-five years afterwards the land belonging to the Petitioners is taken to make up a deficiency existing in the quantity granted by the Crown, in certain concessions of the said township of Beverley. And the Commissioners considering it an act of injustice, taking the said land without compensation, suggested in the Report, that unless the Government indemnified the parties, they could have no compensation within the knowledge of the Commissioners.

Your Committee have also examined the copy of a reply to the application of the Petitioners from the Executive Council, during the administration of Sir George Arthur, when administering the Government of Upper Canada, in the year 1839, and also the reply of the Executive Council of United Canada, in February, 1843, during the administration of the late Lord Sydenham; and your Committee cannot concur in the reasons therein assigned, for refusing the claim of the Petitioners. True it is, that they might have appealed from the decision of the Commissioners within the time allowed by law, and might also have successfully resisted any attempt to put them out of possession; yet your Committee cannot approve of a principle so subversive of justice, as to bar the Petitioners of that equitable claim they have upon the Government, in consequence of the non-observance of certain requisitions of the law, with which it is not

to be supposed the yeomanry of the country are conversant, and to the operation of which, they quietly submitted, under the impression that they would receive that consideration from the Government, to which they are entitled.

Your Committee are of opinion, that as the Government granted a greater quantity of land than they possessed in certain concessions of the said township of Beverley, it is expedient they should indemnify the Petitioners whose land was taken to make up the deficiency, and grant them that remuneration, to which they are, in the opinion of your Committee, entitled: and your Committee, therefore, would respectfully recommend, that an humble Address be presented to His Excellency, the Governor General, expressive of the opinion of this House, that the claim of the said John D. M'Kenzie and others, is founded in equity and justice, and to solicit His Excellency to send down to this House a recommendation that the relief prayed for be granted.

Collection of  
Dues on the  
Chambly Canal.

Ordered, That the Special Committee appointed to enquire into all matters and things connected with the Management and Collection of Dues on the Chambly Canal, have leave to report

from time to time.

Mr. Dunlop, from the Special Committee appointed to enquire into all matters and things connected with the Management and Collection of Dues on the Chambly Canal, with power to report from time to time, presented to the House the first Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have examined the Petition of Samuel and Stephen R. Andres, praying for the payment of their claim, for work done in the construction of the Chambly Canal, and also the Message from His Excellency, relating to certain claims against the commissioners of the said Canal, and they find that the Petitions have obtained a judgment against the said Commissioners, in a Court of competent jurisdiction, for the sum of £16,616 17s. 6d. currency, with interest and costs, which judgment remains as yet unrendered and unsatisfied, save in so far as the Commissioners are creditors of the Petitioners, under an award made in another cause, for the sum of £6000.

Your Committee, therefore, feel themselves precluded from entering into an investigation of the original merits of the case, so adjudicated upon, and can now only report that the Petitioners appear to have a legal claim against the said Commissioners for the sum of £10,616 17s. 6d., with interest from the 12th December, 1840, and costs as awarded by the said judgment.

On motion of Mr. Christie, seconded by Mr. Leslie,



Number of Ships  
and Tonnage, &c.,  
owned in this  
Province.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to cause a return to be laid, as early as convenient, before this House, of the Tonnage and number of Ships and other vessels owned in this Province in the year 1844, distinguishing, as nearly as may be, those employed on the Lakes, those in the River St. Lawrence, above Quebec, and those in the coasting trade below Quebec, and the Gulf of St. Lawrence, and those in trade beyond the seas, as nearly as can be ascertained; Steamers from vessels navigated by sails--the ports or places in this Province to which such vessels respectively belong, and the number of Seamen employed.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such members of this House as are of the Honourable the Executive Council of this Province.

Ordered, That the Bill to incorporate a company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province Line, in the township of Stanstead, be read a second time on Wednesday next.

Quebec Fire-  
wood Society.

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill, to incorporate the Quebec Charitable Firewood Society.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

School Society,  
Quebec.

(246)

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill to incorporate the British and Canadian School Society of the district of Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

High School,  
Quebec.

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill to incorporate the High School of Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Aprons to  
Mill Dams.

Ordered, That Mr. Dunlop have leave to bring in a Bill, to provide more effectually for the



*construction of aprons to mill-dams on streams in Upper Canada.*

*He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.*

*Ordered, That Mr. Macdonell, of Stormont, have leave to absent himself from this House for one week, from this day, on urgent business.*

*Civil and  
Political  
Rights.*

*The Order of the Day for the House in Committee, on the report of the Select Committee, to which was referred the Bill, to revive and continue for a limited time, part of the fourth clause of an Act passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled "An Act to secure to, and confer upon certain inhabitants of this Province, the civil and political rights of natural born British subjects," being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Smith, of Frontenac, took the chair of the Committee,<sup>26</sup>*

*((MR. POWELL explained:)) The object of this bill ((was)).... 1st - To allow those aliens who came into the Province prior to the 10th February, 1841, to take the oath of allegiance at any time hereafter. The old existing law had limited them to one year after the passing of the act or after their completing their term of seven years<sup>27</sup>.*

*The House was unanimous in favour of this provision.<sup>28</sup>*

*MR. POWELL ((secondly)) proposed that all foreigners now in the Province, or who should come in hereafter, should be naturalized on the same terms as are provided in the act of 1841, viz.: seven years residence. 3rd, in accordance with a late English Act, it was provided that the Governor in Council should in individual cases, on petition stating facts, be permitted to grant certificates of naturalization.<sup>29</sup>*

*MR. HENRY SHERWOOD, made a ... speech, ((about)) "loyalty," British principles and institutions, and encouraging immigration, &c. &c. Among other assertions he said it would be much wiser to adopt some judicious scheme of immigration to settle the country. ((Mr. Sherwood)) attack((ed)) ... the American settlers<sup>30</sup>.*

*MESSRS. HALE AND MCCONELL, from the townships, ... ((replied to these attacks))<sup>31</sup>.*

*MR. MERRIT and COLONEL PRINCE spoke ... in support of the bill<sup>32</sup>.*

MR. BALDWIN was not in favour of prospective (sic) legislation; he was willing to extend the privileges of British subjects to all residents now in the province, and he advised an amendment of the second provision.<sup>33</sup>

MR. POWELL accordingly moved for the Committee to rise so as to enable him to frame his amendment.<sup>34</sup>

(246)

and after sometime spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith, of Frontenac, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Wednesday next.<sup>35</sup>

Claims by  
Rebellion.

The Order of the Day for the House in Committee to consider the expediency of making provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by the Act of the Legislature of this Province, and relating to the payment of claims arising out of the late Rebellion and Invasions of Upper Canada; and of appropriating the moneys arising from tavern licenses for local purposes, applying such portion thereof as may belong to localities in Upper Canada to the payment of the said claims, until the same be fully paid, or the money to be advanced to pay them, be reimbursed to the Province, being read,

Ordered, That the said Order of the Day be postponed until Tuesday, the eighteenth instant, and that it be then the first Order of the Day.

Orders of  
the Day.

Mr. Christie moved, seconded by the Honourable Mr. LaFontaine, that the remaining Orders of the Day be postponed until to-morrow, and that they take precedence in the order in which they stand of the Orders of that Day.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Canboro' and  
Simcoe Lands.

The Order of the Day for the House in Committee on the recommitted Report of the Committee of the whole House to consider the expediency of reviving and amending a certain Act, passed by the Parliament of Upper Canada, for imposing a Tax on lands adjoining the Canboro' and Simcoe road, being read,

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker three Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:--

C. T. METCALFE.

Welland Canal  
Stock.

The Governor General transmits for the information of the Legislative Assembly, the accompanying documents, shewing that the appropriation made by the Provincial Act, 7 Victoria, chapter 34, to enable the Provincial Government to purchase the Welland Canal stock, held by private parties, falls short of the sum required, and the Governor General recommends to the consideration of the Legislative Assembly, that the deficiency, amounting to £2779 18s. 9d. may be provided for, to enable the Government to satisfy the just claims of the Shareholders.

GOVERNMENT HOUSE,  
Montreal, 7th February, 1845.

(COPY.)

LONDON, 3rd September, 1844.

SIR,

We have the honour to acknowledge the receipt of your letter of the 10th August, informing us that the Welland Canal Debentures, Nos. 98, to 134 inclusive, lately taken up by the Honourable George Moffatt, have been erroneously issued, by computing the rate per share of that Stock, at £11 5s. sterling each, instead of at £12 10s. currency of the Province, and requesting "that the Debentures may be returned and corrected." The Debentures had already been distributed to the several Shareholders, dispersed in different parts of England, the dividend due in July last, which is equally affected by the miscalculation, had been received, and several of the Debentures had been sold in the market before your letter arrived. We found it, therefore, quite impracticable to procure the return of the Debentures, and to replace the matter as it stood before their distribution. We will, however, immediately communicate the contents

of your letter to the several parties, and from the high respectability of them all, there can be no fear of any improper advantage being taken by them of a mere oversight.

We beg leave, to submit, however, that this should not be treated as a question merely of oversight. Our instructions to Mr. Moffatt in forwarding to him the power of Attorney, were to demand payment of the sums due to the English shareholders in the Welland Canal, at the rate of £11 5s. sterling per share, and to withhold the delivery of the memorial of transfer of shares into the name of the Receiver General of Canada, at his discretion, should this demand not be acceded to. The claim of the English shareholders to repayment at this rate, we conceive cannot be denied. The following is our view of the question and we beg the favour of you to cause it to be submitted to the consideration of the Governor in Council at the earliest opportunity:--

(247)

In the year 1828, the duly accredited Agent of the Company, (which was then composed of the Governments of Upper and Lower Canada, together with certain private shareholders,) came to England to raise money for the furtherance of the Canal, by the issue of new shares.

The English shareholders then subscribed, at the rate of £11 5s. sterling, for each share, and an agreement was made by him, with them that they should stand possessed of shares of the Company of that value. It matters not whether the Company were at liberty by their Acts of Incorporation to issue such shares, as between the old and new shareholders such a contract was then made: as is shewn by the following copy of a certificate, No. 22:--

B. TURQUAND, Esquire,  
Receiver General of Canada.

WELLAND CANAL COMPANY'S OFFICE,  
St. Catharines, Upper Canada,  
1st December, 1828.

This Certificate entitles Joseph Rawdon, Esquire, to thirty shares of stock in the Welland Canal Company, of the value of eleven pounds five shillings sterling per share.

The said shares are transferable in the books of the Company at the office of their Bankers in London, (where the Dividend will be payable,) upon surrender of this certificate only.

Entered.

J. BLACK,  
Secretary.



JOHN M. DUNN,

President.

*It cannot be denied, therefore, that the claim of the English proprietor against his co-proprietor in Canada, is for capital stock, at the rate of £11 5s. sterling per share, which cannot be affected by any change in the value of Provincial currency; while the claim of the Canadian proprietor is for stock, at the rate of £12 10s., Provincial currency, only.*

*By the Act lately passed, it is enacted, that there shall be charged upon the Consolidated Revenue Fund of this Province, for the benefit of the private shareholders in the said Welland Canal, the sum of £117,800 currency of the Province, &c.; "and it is also enacted," that it shall and may be lawful for the Governor of this Province, in Council, to direct the issue of the said Debentures to the private shareholders, accordingly to their respective claims.*

*The spirit and intention of the Act is no doubt that all the shareholders should be repaid at par; and the particular arrangement with the English shareholders having been overlooked, £117,800 currency, was considered sufficient for the purpose. It is clear, however, that this sum is less than the joint claims of the English and Canadian shareholders amount to together. To apportion the sum, therefore according to the strict letter of the Act, it became necessary that a division of the sum granted should be made to each class of shareholders, in proportion to their respective claims. In this view, somewhat less than £11 5s. sterling would have been due to the English shareholders, but the deduction would not have been so great as it is now proposed to make. In the meantime, acting upon the spirit of the Act, the Canadian shareholder has been paid without deduction; and we respectfully submit that the English shareholder should be dealt with upon the same footing, even should it be found necessary to introduce a new Act for the purpose.*

*Should it be contended that all the shares, both English and Canadian should be computed at the rate of £12 10s. currency each, then is the claim of the English shareholder even stronger. For he will, in that case, be a claimant of the Company, or his co-proprietors, for the difference over-paid by him in the first instance, beyond the now reduced value of his share. But the Government of Canada, which originally held stock, will now become, by purchase of the stock of private shareholders, nearly the sole proprietor of the Canal, and, in fact, constitute the Company. Either in the capacity, therefore, of Government, or Company, it appears to us that the sum of £11 5s. sterling, is due from them to the English stockholders, and it would seem useless to draw the distinction.*

The shareholders in England may perhaps think it advisable to take the opinion of Counsel upon the question; but before that is done, we trust that it will be taken into re-consideration by the Government in Canada, and decided according to the plain equity of the case.

We have, &c.

(Signed,)

BOSANQUET, FRANKS & Co.

INSPECTOR GENERAL'S OFFICE,

Montreal, 27th September, 1844.

SIR,

I have to acknowledge your reference of the 23rd instant by command of the Honourable the Executive Council, of a letter from the Honourable the Receiver General, addressed to the Honourable D. Daly, Provincial Secretary, enclosing a letter from Messrs. Bosanquet, Franks & Co., to Mr. Turquand, late Acting Receiver General, on the subject of certain Welland Canal Debentures.

I have the honour to report, for the information of that Honourable Board, that after due consideration of the contents of Messrs. Bosanquet Franks & Co's letter, it does appear, that, as represented by them, the English stockholders have an equitable claim to debentures for the same amount in sterling as was subscribed and paid by them, that is, £11 5s. sterling, per share; but, unfortunately, the provision made by the Provincial Act, 7th Victoria, cap. 4, will not admit of debentures being given for more than at the rate of £12 10s. currency, per share.

		£	s.	d.
That Act appropriates for the purpose the sum of, Currency ... ..	...	117800	0	0
According to the Books of the Welland Canal Company, the number of Shares held by private Stockholders are,				
Within British North America ...	1245			
In England ... ..	2814			
In the United States ... ..	5365			
Total number of Shares ...	9424			

	£	s.	d.
Which, at £12 10s., Currency, each, amount to, Currency ... ..	117800	0	0
Should the Debentures for all the Shares held in England be issued at £11 5s., Sterling, each, the amount would be in Currency ... ..	38516	12	6
1245 in the British Province, at £12 10s., Currency ... ..	15562	10	0
5365 in the United States, at the same rate ... ..	67062	10	0
Forming a total of ... ..	121141	12	6
The appropriation, as above, being ... ..	117800	0	0
Shewing a deficiency of, Currency, ... ..	3341	12	6

At the time of the passing of the Act, the question was fully discussed in the Legislative Assembly, and Mr. Merritt, who was particularly interested as Agent for the greater number of Stockholders, done his utmost, during the passage of the Act, to have what he conceived to be justice done to the Shareholders in England, by providing for their shares in sterling, ineffectually.

In the stock ledger of the Welland Canal Company, the shareholders in England are credited with £11 5s. sterling, but that sum is converted into currency by adding one-ninth, making it £12 10s. as previous to the new currency Act coming into operation, was the case in all transactions within the Province.

I have, &c.,

(Signed) JOS. CARY,  
Deputy Inspector General.

To the Clerk of the Executive Council,  
&c. &c. &c.

(248)

	£	s.	d.
MEMORANDA.--The number of Shares of Welland Canal Stock taken up in England, is 2341, for which £11 5s., Sterling, per Share, was there paid, forming on the total number of Shares the sum of British Sterling ... ..	26336	5	0
Equal in Provincial Currency to ... ..	32042	8	9

	£	s.	d.
The appropriation made by the Provincial Act 7 Victoria, chapter 34, to enable the Provin- cial Government to purchase the Stock held by private parties in the Welland Canal, at £12 10s., Currency, per share, forming for the above number of Shares a total of Cur- rency ... ..	29262	10	0
Leaving a deficiency, to pay the holders of Stock taken up in England, the same rate as paid by them of Currency ... ..	2779	18	9

For which sum a provision is to be required.

(Signed)

JOS. CARY,  
Deputy Inspector General.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 27th January, 1845.

C. T. METCALFE.

J. Lonney,  
Cascades Road.

The Governor General transmits for the infor-  
mation of the Legislative Assembly, a minute of  
the Board of Works, in the case of James Lonney,  
contractor, claiming remuneration for losses sustained by him, and recom-  
mends his claim to the consideration of the House.

GOVERNMENT HOUSE,  
Montreal, 10th February, 1845.

(Copy.)

BOARD OF WORKS,  
Montreal, 24th January, 1845.

SIR,

I am directed to forward to you the enclosed minute of the Board,  
relative to a claim put forward by Mr. Lonney, the Contractor for the  
earth-work of the Cascades road, and to request that you will be pleased,



at your earliest convenience, to lay the same before His Excellency, the Governor General, in Council.

I have, &c.

THOMAS A. BEGLEY,  
Secretary.

The Honourable D. DALY,  
Provincial Secretary,  
    &c.   &c.   &c.

(Copy)

CASCADES ROAD.

In the case of James Lonney, Contractor upon the Cascades road, claiming remuneration for losses sustained by him, under the following circumstances:--

At the time of the acceptance of his tender by the Board, Lonney, being then at Kingston, was directed to proceed to the road and commence operations, and was informed that his contract would be sent to him within a day or two, and that the Power of Attorney from the President to the Board's officer, which it was necessary to have previous to taking possession of the land for the new road, would likewise be forwarded to the latter, so soon as Mr. Killaly would arrive at Montreal, where he was then about to proceed; this document having to be drawn out by Mr. Jobin, the Notary, whom the Board was directed by the Council to employ.

In the meantime, the Contractor proceeded to the road with men and teams, some of them from Cornwall, and was ready to proceed to work; but the Power of Attorney having arrived at Kingston, was examined by the Attorney and Solicitor Generals East, and declared to be "not drawn out according to Law;" they likewise stated, that it was necessary the Power should be signed and sealed by the President, at the office of the Board, in Kingston. As this could not be done until Mr. Killaly's return, the Contractor, after remaining several days at the road with his men and teams, was obliged to return home.

The Contractor, after the proper Power of Attorney had been obtained, again proceeded to the road, with his men, &c.; but a Petition having been received by Council, from the inhabitants of the village of Cedars, praying that the more direct and shorter line, as laid out by the Board, might be changed to the old and indirect one running through that village; the Board were directed to delay proceedings until the case would be

decided by the Council, and the Contractor was again obliged to return to his home, with his men, horses, &c.

From the best estimate which the Board are able to obtain, it would appear that the Contractor had, from the foregoing circumstances, been put to an extra cost of £140; and the Board would respectfully recommend the case to the favourable consideration of the Executive Council.

---

C. T. METCALFE.

Henry Weeks. The Governor General transmits, for the consideration of the Legislative Assembly, a Petition from Henry Weeks, claiming compensation for loss sustained by him by reason of an incorrect survey of certain land in the township of Yonge, and recommends that authority may be granted to the Executive Government, to issue Scrip to the Petitioner, to the amount of four hundred pounds.

GOVERNMENT HOUSE,  
Montreal, 10th February, 1845.

---

Copy of a Report of a Committee of the Executive Council, dated 3rd February, 1845, approved by His Excellency, the Governor General, in Council, on the same day:--

On the Petition of Henry Weeks, claiming compensation for loss sustained in a suit at Law, arising out of an incorrect survey, by which he was ejected from Lot No. 19, in the 5th concession of the township of Yonge, and on which he erected mills, houses, and made other improvements.

By the late Act for the disposal of Public Lands, no allowance can be made in the case of the Petitioner by the Executive Government; but under the peculiar circumstances of the case, the Committee recommend that a Special Message be transmitted to Parliament during the present Session, for authority to grant Scrip to the Petitioner, to the amount of £400, which the Committee think would be a fair allowance, referring therein to the Report of the Select Committee of the Legislative Assembly of the 17th August, 1841, on the Petition of Henry Weeks.

Certified,

(Signed,)

E. PARENT.

To the Civil Secretary.

---

(249)

COPY.

To His Excellency, the Right Honourable Sir CHARLES BAGOT, Knight Grand Cross of the Most Honourable Military Order of the Bath, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, &c. &c. &c.

The Petition of Henry Weeks, of Yonge, in the district of Johnstown, in the Province of Canada, gentleman:--

HUMBLY SHEWETH--

That your Petitioner obtained a title of lot No. 19, in the 5th concession of Yonge, in the district of Johnstown, and took possession in 1816, of what he ascertained, and what in fact was the right lot, and erected mills and houses, and made improvements thereon; that a person of the name of Edward Murphy afterwards obtained a grant of lot Number 18, in the same concession, knowing that there was an error in the numbering, and by an ejectment succeeded in 1827 in turning your Petitioner out of possession, although your Petitioner made it clearly appear to the Court that a mistake had been made, not in the original survey, but in the numbering of the East corner posts, the true lot, No. 19, having been erroneously number 18, and although such error in the numbering had, immediately afterwards, been corrected by Reuben Sherwood, Esquire, (the surveyor who had employed the person by whom the original survey had been made,) and the then Surveyor General made acquainted therewith; that in 1828, and subsequently, your Petitioner applied to the Provincial Legislature for redress, and in 1830 an Act, entitled, "An Act to correct the Survey of the Fifth Concession Line of the Township of Yonge," was passed; that thereupon your Petitioner brought an action of ejectment, and in September of the same year reobtained possession of the lot of which he had been so dispossessed by Murphy; that your Petitioner soon after applied to the then Lieutenant Governor of the Province for remuneration for damages he had sustained, and understood that an Order in Council had passed, stating in effect, "that upon satisfactorily shewing the actual amount of damages sustained," your Petitioner should "be recommended by His Excellency to the favourable consideration of His Majesty's Government;" that your Petitioner afterwards furnished the Lieutenant Governor with an attested statement of his damages, but not having obtained any compensation, your Petitioner applied to the Honourable the Commons House of Assembly to grant him relief; that two or three years having elapsed, and your Petitioner still remaining uncompensated for the very serious losses and damages he had sustained, renewed his application by Petition to the House of Assembly, dated in January, 1836; that your Petitioner petitioned Sir F. B. Head during the early part of his Administration of the Government of Upper Canada, and received an answer that his case would be referred to the consideration of the Home Government; that notwithstanding the continued efforts of your Petitioner to obtain compensation for

his damages, and the hope which from time to time has arisen that his just claims would be satisfied, he had hitherto been disappointed; that your Petitioner, however, still indulges the expectation that, although justice has been deferred, it will eventually be awarded him, and he looks with confidence to your Excellency's Administration of the Government of Canada for a realization of his wishes.

Wherefore, your Petitioner humbly prays your Excellency to take his case into favourable consideration, and to grant him such relief in the premises as to Your Excellency may seem meet and reasonable.

And your Petitioner, as in duty bound, will ever pray.

(Signed) HENRY WEEKS.

Henry Weeks.

STATEMENT of damages sustained by the Petitioner, up to the 22nd July, 1830; the premises being then in possession of Edward Murphy, in whose possession they remained until September, 1830.

(Copy.)

22nd July, 1830.

The following is an account of damages sustained by Henry Weeks, of the township of Yonge, in the district of Johnstown, in consequence of an error lately recognized in the original survey of the fifth concession line of the township of Yonge, as in the opinion of us the undersigned, is correct and just:--

	£	s.	d.
Barn destroyed by the present occupant	17	12	0
Use of saw mill for three seasons lost	262	10	0
Use of farm, two years and seven months	70	0	0
Expenses of moving lumber	7	10	0
Moving hay, goods and chattels	7	10	0
A quantity of apple trees sold and destroyed	12	10	0
	£377	12	0



(Signed)

VINCENT BOOTH,  
SAMUEL LEE,

}

Appraisors.

Further damages sustained by Petitioner. Account of sundry expenses of  
defending Ejectment, &c.:--

	£	s.	d.
Cash paid on Execution taken out for Plaintiff's costs	34	7	0
Ditto Attorney's, for defending suit	8	5	0
Ditto Witnesses, as per Subpoena	1	5	0
Ditto Petition and Postage	1	10	0
Loss of time and expenses attending Court	2	10	0
Loss of time and expenses of four journeys to Toronto or York	20	5	0
Cost of Ejectment brought by Petitioner to regain possession	5	0	0
Paid publishing notice of application to Legislature	1	15	0
	74	17	0
Brought down	377	12	0
	452	9	0
Interest from September 1830 to June 1841, 10 $\frac{3}{4}$ years	291	16	9
Amount	£744	5	9

SECRETARY'S OFFICE,  
22nd December, 1842.

Referred to the Honourable Executive Council for consideration.

By command,

(Signed)

J. HOPKIRK.

Certified,

E. PARENT.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, then laid before the House, by command of His Excellency, the Governor General,

Toronto Har-  
bour Dues.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 4th instant, requesting "An account of the Harbour Dues collected at the Port of Toronto, during the years 1843 and 1844, together with an Abstract of the Account of the said Harbour with the Provincial Government, shewing the balance of the said Harbour Dues unpaid at the end of the year 1843."

(For the Documents accompanying the said Report, see Appendix D.D.)

(250)

Tax on Dogs.

Mr. Boulton, from the Committee of the whole House on the Bill to empower the district Councils in Upper Canada to impose a Tax on dogs, and to regulate Temperance houses within their respective districts, reported according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Ordered, That the remaining Orders of the Day be postponed until tomorrow, and that they be then the first Orders of the Day.

Then, on motion of the Honourable Mr. Small, seconded by Mr. Christie,

The House adjourned.

APPENDIX, 10 FEBRUARY 1845.

((NOTICE OF PROPOSED MOTIONS.))

M. DUGGAN a donné avis qu'il proposerait de nommer une (sic) comité pour faire une enquête sur la manière dont les allocations aux universités du Bas-Canada ont été employées<sup>37</sup>.

M. JOHNSTON ((a donné avis)) qu'il demanderait une liste nominative de tous les employés publics dans le Haut-Canada qui cumulent plusieurs emplois.<sup>38</sup>

((WITHDRAWN BILL RE: INDEPENDENCE OF PARLIAMENT.))<sup>39</sup>

MR. GOWAN, - No man was more fully aware of the importance of the subject he had undertaken than he was - of no importance, or at least very little to himself, as compared with its great moment to the independence of Parliament, and to the rights of both the Crown and the People. But he would not delay the House by a disquisition upon the importance of the subject, but would proceed at once to the consideration of the question itself, because he felt assured that, to an intelligent and educated Assembly like the present, such disquisition would be unnecessary, if not impertinent. He would begin by reminding hon. members that they were not to be frightened from the consideration of the question by the insinuation made by some that the Act which he proposed in part to repeal, ought not so soon after its enactment to be broken in upon - that his proposed legislation was in fact too hasty. For (said hon. gentlemen,) already has the House, and that by an overwhelming majority too, declared the Bill of last Session defective - already have both sides of the House pronounced its condemnation - (Hear, hear) -- already have two Bills left the House for the concurrence of the other branches of the Legislature, and passed by a nearly unanimous vote; one providing for the indemnity of parties who violated its enactments; and the other providing for the enfranchisement of a large class of the community which by its provisions were excluded (Hear, hear.) It would be borne in the minds of honorable gentlemen, that when he gave notice of his intentions upon this subject, he announced them to be, not so much for a change of the law, as for a desire to assimilate the law with that of England - in fact, that was his end, aim, and object. He desired to be placed upon the same footing with his fellow-subjects in the Parent State; to be deprived of no privilege which they enjoyed, and to ask for no better or safer guarantees for the perpetuity of our civil liberties than they possessed. And here he would remark, that the principle upon which Placemen are excluded from the House of Commons is not one of exclusion, but of limitation; and this principle, he trusted, to make so clear as to be doubted or questioned by no man. By the 12th and 13th of Wm. III., chapter 2, section 3, (commonly called the Act of Settlement,) provision was made to exclude all office-holders from seats in the House. The Act of last session, introduced by the hon. and learned

member for Terrebonne, (Mr. Lafontaine,) might therefore be said to be a counterpart of the Act of Settlement.<sup>40</sup>

Hear, hear, from the Opposition.<sup>41</sup>

((MR. GOWAN resumed:)) He could well understand those cheers, but let hon. gentlemen remember that the very clauses which they cheer, were soon wiped from the Statute Book by the "sober second thought" of the British nation. (Hear, hear.) So injurious to the public service was this part of the Act of Settlement found to operate, that an Act was already afterwards introduced and passed - the 4th of Anne, chapter 8, section 25 - by which these wholesale clauses of disqualification were repealed. Honorable gentlemen may ask then, are all office holders eligible to seats in the British House of Commons? He answered no: for it was soon found that the passing of the 4th of Anne rendered necessary some equitable distinction between the officers (sic) which should, and those the possession of which should not, disqualify. Accordingly the 6th of Anne, chapter 7, was passed, by which certain offices named and specified in the Statute were declared to disqualify. This Act was passed in the year 1705, and in addition to its other provisions, it contained a clause which declared that all new offices created after that year should disqualify the holders from seats in Parliament. This was a remarkable feature in the Act of 1705, and one which had been wholly overlooked in the Act of the hon. and learned member for Terrebonne. This omission, the Bill which he (Mr. G.) had introduced supplied. (Hear, hear.) By the same Statute, he meant the 6th of Queen Anne, chapter 7, it is declared that the acceptance of any office of profit from the Crown, should ipso facto vacate the seat of the incumbent; but that such a vacation of the seat should not be held to prevent the re-election of the member. In this respect the Act of last Session corresponds with the English Act. These Acts which he had recited, taken in connexion, and having stood unrepealed and unquestioned since the year 1705, by our great and intelligent subjects in the Parent Isles, by a people so proud of their freedom and so jealous of their liberties, shows (sic) most clearly that they are regarded as the "happy medium" between an undue proportion of Government influence on the one hand, and the ultra exclusion of such men as might be deemed worthy of place and emolument on the other. (Hear, hear.) Upon the subject of retaining a certain degree of influence, he meant of legitimate, fair, and honorable influence in the Assembly of the People, he would ask the indulgence of the House to read a short extract from Boswell's Life of Johnson, as edited by the Right Hon. John Wilson Checker, showing the views entertained by Doctor Johnson upon this question. (Hear Mr. Gowan read as follows): -"Johnson seemed to think that a certain degree of Crown influence over the Houses of Parliament, (not meaning a corrupt and shameful dependence,) was very salutary, nay, even necessary, in our mixed government. For said he, if the members were under no Crown influence, and disqualified from receiving any gratification from Court, and



resembled, as they possibly might, Pym and Haselrig, and other stubborn and sturdy members of the Long Parliament, the wheels of government would be totally obstructed. Such men would oppose, merely to show their power, from envy, jealousy, perversity of disposition; and not gaining themselves would hate and oppose all who did; not loving the person of the Prince, and conceiving they owed him little gratitude, from the mere spirit of insolence and contradiction, they would oppose and thwart him upon all occasions. The inseparable imperfection annexed to all human government consisted, he said, in not being able to create a sufficient fund of virtue and principle, to carry the Laws into due and effectual execution. Wisdom might plan, but virtue alone could execute. And where could sufficient virtue be found? A variety of delegated and often discretionary power must be intrusted somewhere, which if not governed by integrity and conscience, would be necessarily be abused, till at last, the Constable would sell his for a shilling." Boswell's Life of Johnson, Vol. I, Page 375. Such were the words of Dr. Johnson, of that great and philosophical mind, of whom it is written by his Biographer, in the next page that, he "supported his philosophical character with so much dignity, was extremely jealous of his personal liberty and independence, and could not brook the smallest appearance of neglect or insult, even from the highest personages." He, (Mr. Gowan,) had given to the subject much attention, and he felt bound to say that, the more he investigated it, the more fully had he been convinced of the impolicy and injustice of restrictions. To say that persons employed by the government are not to be trusted by the people, is to say in effect, that the interest of the government is not only separate from, but actually opposite to, that of the people; an opinion, in which no good subject could coincide. The Constitution had delegated to the people, the sole right of judging who were, and who were not, fit persons to be chosen to represent them. It was never intended that the Parliament should be the judge in this matter; that the representatives of the people should set themselves above the people, whose servants they are. A law of general deprivation can only be regarded, however closely it may be veiled under other pretences, as a direct insult to the people. It argues that they are either too corrupt to be trusted, or too ignorant and senseless to make a proper choice. He viewed the exclusive character of the Act of last Session, as directly contrary to the very essence of Responsible Government. - (Hear, hear.) The choice of a gentleman by his constituents ought to be a passport, rather than a bar to his promotion. The end of all appointments should be the common good; the means the best man. And how are good men to be better known, than by the concurrent testimony of their neighbours? If the principle of the measure of last Session is to be fully and honestly carried out, it will be found that its chief provisions, instead of operating against the Crown, will operate against the people, whose choice it limits, and whose voice it disregards. With these preliminary observations, which he felt bound to make, he would proceed to state the provisions of his Bill. The Bill itself was short, but it contained important provisions. Its four leading features were: First.- It declares what particular offices disqualify their holders from

Seats in Parliament. Second. - It declares those who shall be disqualified from being elected within certain places. Thirdly. - It declares those who shall be disqualified from voting; and lastly. - It disqualifies the incumbents of all new offices of profit, that may be hereafter created. With regard to the first class, he would state that the officers, whose situations are inserted in the Act of last Session, and which are continued in his Bill, as being in conformity with British Law, are the following. - 1st, Judges of the Court of Queen's Bench and Vice Admiralty, and also the Vice Chancellor - the former were excluded in England, so far back as 9th November, 1605, as may be seen by reference to the Commons Journals of that date. The Vice Chancellor is excluded under the Statute, 6th of Anne, chapter 7, as being a new office created since 1705. The second class, whose exclusion from the House he proposed to continue, are the Judge of the Court of Escheats (an office he believed now in abeyance,) and all District and Circuit Judges. There are no officers of the same nature in England, but there are Police Magistrates in England, and Assistant Barristers in Ireland, whose duties and obligations he held to be analogous, and who are excluded from Parliament; the former by the 4th of George the III, chapter 76, and the latter by the 36th of George III, chapter 25. The third class which he proceed (sic) to exclude, are Commissioners of Bankrupts and their Clerks. These are excluded in England, under the first and second of William the 4th, chapter 56, section 60. The fourth class which his Bill shuts out of Parliament are all Clerks of the Crown and Pleas. The gentlemen who discharge the duties of similar appointments in England, are excluded by the 57th of George III, chapter 63, section 5. The fifth class which his bill excludes are Registrars of Deeds and Titles. He had his doubts of the propriety of continuing the exclusion of Registrars, but he felt bound to state the facts to the House, as he found them. In England there are, he believed, but two Registrars in the whole kingdom; namely, in one of the York Ridings, and in the County of Middlesex. They are excluded by the second and third of Anne, chapter 4, section 22. In England the Registrar, like the Coroner, is chosen in a different manner, from that by which he is chosen here - there he is an elected Officer, here he is a nominee of the Crown, but not subject to removal at the pleasure of the Crown. He should not, therefore oppose any proposition, (if any such should be made,) to enfranchise this class of officers. The sixth class against whom his Bill continued the exclusion, are all officers of the Customs and Excise, and all Collectors of the Revenue, including the Naval Officer at Quebec. There are not less than four Statutes, by which all officers of this description are excluded; namely the eleventh and twelfth of William III, chapter 2 - the twelfth and thirteenth of William III, chapter 10 - the sixth of Anne, chapter 7 - and the 15th of George the II, chapter 22. The seventh class which this bill excludes are Commissioners for managing the Jesuits Estates; Agents for the sale of Public Lands, and for issuing Timber Licences. In England there are no offices called by these names, but all offices having the like duties to perform would be excluded under the Statutes he had just read, as being collectors of the Public Revenue. The eighth class of officials to which his Bill

continues the exclusion to, are Clerks in the respective offices of the Provincial Secretary, the Receiver General, the Inspector General, and the Commissioner of Lands. In England the exclusion is extended to this class, as contra-distinguished from the Clerks in other departments, upon the ground of their Principals having seals on the Cabinet, and thereby enabling them to exercise an undue influence over their subordinates, in accomplishing those ends and purposes, which could only be known to them as Ministers of the Crown - the exclusion is under the fifteenth of George II, chap 22. The ninth excluded class are all Contractors for the Public Service. The Parliamentary door is shut against them, by the twenty-second of George III. chap. 45. The tenth class which his Bill continues to exclude are Postmasters and upon this he would read a short extract from a work, the authority of which would not be doubted by the House; he alluded to Chambers Dictionary of the Law of Election," - Page 502. The extract was as follows: - No Postmaster, Postmaster General, or his or their deputy or deputies, or any person employed by him, or under him or them, in receiving, collecting or managing the revenue of the Post Office, or any part thereof; nor any Captain, master, mate of any ship, packet or other vessel employed by or under the Postmaster or Postmaster General, in conveying Mail to or from foreign ports, shall be capable of giving his vote for any member for Great Britain; and if any person thereby made incapable of voting shall nevertheless presume to give his vote, during the time he shall hold, or within twelve calendar months after he shall cease to hold or execute any of the offices aforesaid, their votes shall be null and void, and each shall suffer a penalty of £100." The same terms have been extended to Postmasters in Ireland, by the forty-fifth of George III. chap. 25. sec. 1. The last persons against whom he proposed to continue the exclusion are the translators of the laws. He need scarcely say, that, in England there is no such office as a law translator, and therefore he found nothing in English parliamentary law or practice, touching the subject. But his reason for continuing the exclusion was because that he found in the Act which created the office a declaration that its holder should be excluded from a seat in the Assembly. He therefore allowed the law to stand as he found it, because he looked upon the statute itself as the very expositor of the views and intentions of those who framed it. Having thus put the House in possession of the several parties, which by this Bill, would continue to be excluded; he would now proceed to state those officers who were disqualified by the Act of last Session, and to whom he proposed to restore their rights, as being in accordance with British Law and Parliamentary practice - (Hear, hear.) They were twenty-six in number, as follows: - The Official Principal of the Court of Probate in Upper Canada, Surrogates of the Court of Probate in Upper Canada, Recorders of Cities, beyond their official jurisdiction, Sheriffs, beyond their official jurisdiction, Prothonotaries, Clerks of Courts of Queens Bench, Clerks of District Courts, Clerks of Courts of Appeal, Clerks of the Peace, Registrar of Court of Vice Admiralty in Lower Canada, Registrar of Court of Probate in Upper Canada, Registrar of Court of Chancery, Master in Court of Chancery,



Accountant of Court of Chancery, Clerk of Heir and Devisee Commissioners, Adjutant General of Militia and Clerks under him, Clerk of the Executive Council and Clerks under him, Clerks in the Office of the Provincial Registrar, Clerks in the Office of the Surveyor General, Officers employed by the Board of Works, Postmasters of Cities and Towns incorporated, Physicians, Officers, &c., in the Quarantine Service at Quebec and Grande Isle, Physicians and Surgeons attending gaols and other Public Institutions, and receiving salaries, Harbour Masters and their Deputies, ((?)) and Registrar of Quebec and Montreal Trinity Houses, and persons in their employ receiving annual Salaries, and lastly, Her Majesty's Printer and Law Printer. To all of the foregoing, his Bill would restore the rights, to which, as British subjects, they would be entitled in every corner of the British Empire, except in Canada - (Hear, hear.) He need scarcely say that it formed no part of his case, to prove a negative, it rested with those, who opposed his Bill, to satisfy the House, that any one of them he had mentioned, were excluded by English law or English practice, and this he thought could not be done. If it were necessary, however, he could show to the House, that many of those who were excluded under the Act of the member for Terrebonne, and to whom he now proposed to restore their rights, have not only been permitted to sit in the British Parliament, but have been some of its greatest ornaments - (Hear, hear.) For instance, many persons, holding Judicial Offices, have sat in the House of Commons; and particularly Judges of Ecclesiastical Courts. The master of the Rolls has frequently sat in Parliament, but what individual more distinguished, or what case more recent than Dr. Lushington? Again, is not Mr. Shaw, the able and distinguished member for the Irish University, the Recorder for the City of Dublin? Was not Mr. Shirley member for Warwick, and High Sheriff of ((?)) ? Was not that gallant and distinguished Soldier, whom he might also call his intimate personal friend, Colonel Verner member for Armagh, and High Sheriff of the adjoining county of Tyrone? Was not Mr. Ellis, (another of his most particular friends,) member for the City of Dublin, and one of the masters of the High Court of Chancery? Need he call to the remembrance of the House, how long the late Mr. Butterworth had been Printer to the Crown, and a member of the House of Commons; or how constantly the present Printer to Her Majesty, Mr. Spottiswoode, not only sat in the House, but even directly voted and opposed the Administration of Earl Grey? In reference to other excluded officers, he would beg to read the following extract from the Despatch of Lord Stanley, dated no longer back, than the 27th of March last, and which was as follows: "The Bill for better securing the independence of the Legislative Assembly, will be confirmed and finally enacted by the Queen in Council. On a subject so peculiarly affecting the rights and privileges of the House of Assembly, Her Majesty defers to the judgment and recommendation of the two Houses of local Legislature, as the surest guide by which her decision could be directed. It has not however been without some distrust of the wisdom of some of the provisions of this Law, that Her Majesty has so decided. I assume that the exclusion from the Assembly of all Recorders of cities, of all Sheriffs, of the Adjutant



General ((of)) Militia, and the Master of the Trinity House of Quebec is justified by some reason, which does not exist in the case of holders of the corresponding offices in England. But what those reasons may be, is not explained." All of the cases he had cited, as well negative as affirmative, most clearly established the principle, which he had before asserted, namely, that the exclusion of Placemen from the House of Commons, was not one of exclusion, but of limitation - and that even giving to its limited application, the most extensive sense, it could not be looked upon as emanating, so much in a desire to guard the Commons against the influence of the Crown, as to shield the individuals excluded, from the imputation of improper motives. (Hear, hear.) It was not because the House feared the influence of the excluded parties, but because the nature of the duties they had to perform, was deemed incompatible with seats in Parliament. This will most clearly appear from a calm consideration of the officers excluded: for example, Judges were not excluded because they were subject to be corrupted by the Crown; but because they should be considered by the people as impartial and non-political. So of Sheriffs, they were not excluded on account of their peculiar liability to Crown influence; but because they might exercise an undue degree of influence over the Electors within their Shrievalty; and also because they were originally the Returning Officers ex-officio, of their respective Shrievalties. But the fact of their being permitted to sit for other places, proves that it was not against their corruption by the Crown, that the legislation of the House was directed. Again, the same argument will apply to Recorders, whose election for places out of their official jurisdiction, shows that the House held the integrity of their votes to be unimpeached. In reference to the exclusion of all descriptions of Revenue Officers, the motive was obvious - they were engaged in the collection of the Public Revenue; the House held possession of the strings of the Public Purse; and to it were all officers employed to fill, as well as to empty that purse, responsible - it would therefore, be obviously wrong to admit into the House a whole class of officers of this description, who might then audit and pass their own accounts, and in fact, become responsible to themselves! He would not further dwell upon this subject, but would take the liberty to read to the House, from "Hatsell's Precedents," Volume 2, Page 398, the pith and substance of the reasons, which influenced the decision of the House of Peers in England, when a similar question to the present was brought before their Lordships, by the then decision of the House of Commons - a decision which as he before remarked, was afterwards rescinded. (The hon. gentleman then read as follows). "The Lords insist upon their amendment, first, because they conceive the said general disabling clause ought to be repealed, as inconsistent with the nature and constitution of the English Government. For to enact that all persons employed and trusted by the Crown shall, for that reason alone, become incapable of being trusted by the people, is in effect to declare that the interests of the Crown and of the people, must be always contrary to each other: which is a notion no good Englishman ought to entertain. Secondly, they think such a clause is manifestly injurious to the people

of England, who are the proper judges of what persons are fit to represent them in the House of Commons, and therefore a clause which in so great a measure deprives the electors of their freedom in choosing, seems to be built upon a supposition that the people are become either so corrupt or so insensible, that they ought no longer to be trusted in the same manner they have always hitherto been, with the choice of their own Representatives; and may often deprive them of the service and assistance of the most valuable men in the Kingdom; for that will always be the case when the Crown makes a right choice, in filling offices with gentlemen of interest, probity, and understanding. (Vide the 3rd and 4th reasons). Fifthly, the government has subsisted happily for many hundred years, without any disabling clause of this nature, and the Lords have observed that the clamorous discourses spread about in relation to the great number of officers sitting in Parliament, have been chiefly since the late happy Revolution, and yet within the compass of that time, more excellent laws have been made for declaring and securing the rights and liberties of the people and the freedom of Parliament, than in the course of some ages before, which does demonstrate that there has been hitherto no mischief from persons in office; and gives the Lords cause to think that such clamours, though they may have created some prejudice in the minds of well intentioned persons, yet took their true rise from ill designing men, who observed with regret the active zeal with which those who were in employment under the Crown supported the present establishment, and pursued the common interest of prince and people." He was sorry to have troubled the House so long, and he would now close his remarks by reading a short extract from the journals of the House of Lords for the 27th of March 1704, in which their Lordships embody the views of Lord Chief Justice Holt, upon the question of depriving electors of the rights, to which as Britons, they are entitled. Their words are, "there is a great difference between the rights of electors and the rights of the elected, the one is a temporary right to a place in Parliament pro hac vice, the other is a freehold or a franchise. Who has a right to sit in the House of Commons, may be properly cognizable there, but who has a right to choose, is a matter originally established, even before there is a Parliament a man has a right to his freehold by the common Law, and the Law having annexed his right of voting to his freehold; it is of the nature of his freehold and must depend upon it. The same Law that gives him his right must defend it for him; and any other power that will pretend to take away his right of voting, may as well pretend to take away the freehold upon which it depends."<sup>42</sup>

MR. LAFONTAINE opposed the bill, and asked on what principle Clerks in the Inspector General's Department were rendered eligible for seats in Parliament and those in the Receiver General's Department made ineligible?<sup>43</sup>

MR. GOWAN explained that in the one case the head of the Department was in the Ministry, and in the other he was not.<sup>44</sup>

MR. LAFONTAINE denied the sufficiency of the reason, and pointed out the inconsistency of allowing post masters to have seats in Parliament, and yet depriving them of the lesser right of voting at elections. He also read the names of those who voted in favour of the bill of 1843, amongst whom were Messrs. Dunlop, Williams, Hale, &c. and referred to the small minority, (only five) to show that the sense of the House was nearly unanimous on that occasion.<sup>45</sup>

MR. AYLWIN thought the Member for Leeds had better have left this matter alone. If anything had been necessary to show Hon. Members why they should not consent to this Bill, the arguments of the Member for Terrebonne would have proved it. The Bill was so loosely drawn that it absolutely did not repeal that portion of the Act which it desired to continue as law. Then, as to the merits of the Bill, he was sure that upon that ground the House would not sanction it. The position which the Hon. Gentleman had assumed was, that the law of Canada should be made to assimilate as closely as possible, with that of England in this matter. He alluded to the British practice as one which had stood the test of years, and given universal satisfaction. But if Hon. Gentlemen would reflect upon the wide difference existing between this colony and that country: how great was the difference between the electors, yes and the representatives of the two countries, they would find at once that there was not and could not be any analogy between them. It was well known that there were few, very few, Members in that House, possessed of sufficient means to devote themselves ... altogether to the public business; there were but few who were not compelled to devote a large portion of their time to labour for the daily bread of themselves and families. But with respect to the House of Commons in England, there was no legislative body in the world, and never had there been one, which numbered among its Members so many perfectly independent men, who devoted their time to the business of the country. All analogy, therefore, ceased between the two bodies. Then let him refer Honble. Members to the numerical difference; in a House numbering only 84 members it was a matter of no difficulty for a man at the head of affairs like, for instance, Sir Robert Walpole, to induce fifteen or sixteen Members by the gift of office to bind themselves to the Administration, and that, too, without neglecting the public interests, or their duty to their constituents. The people of England were very accessible to court favour; they liked to glide down the stream of patronage; and if that remark were applicable to England how much more so was it to this colony, particularly to the Upper Province. He did not wish to hurt any man's prejudices, but experience had taught him the number of petty officers and place-seekers who were anxious to pick up the crumbs in that section of the country. He was warranted in stating this, when he remembered in what manner a member of the Legislative Council had deplored the consequence of the bill this act sought to amend, as affecting himself; how he had exclaimed, "what have I done, what crime have I committed, that I should be deprived of the office which I have held for twenty years?" And what



was that office, the loss of which occasioned so much grief? Why, it was the office of Surrogate, with a salary of £7 10 s per annum, an office which, by the by, was frequently found a useful office for Members of Parliament, who after having been freely elected, accepted similar offices worth £40. When such paltry offices were so sought after, it was the duty of that House to be upon its guard, and exclude all. There had been too many office-holders among the late Administration, which had possessed the largest majority ever known in this, or perhaps in any other country, and Ministers had been reproached with the number. And if they had been reproached then, how much greater would be the reproach to the present Ministry now, with its majority of one and two. It was no exclusion to say to an office-holder, if you take your seat in the House you must resign your office. He would cite the case of the Speaker of that House, whose conduct reflected credit and honour upon him. He had held an office, the emoluments of which was (sic) no inducement at all, and yet the resignation of that office to enable him to sit in that House, was accounted a great sacrifice; and if such was the case with a man holding his high position, of his large estate and means, how was it with a great number in that House, and others who wanted seats therein. Any one who reflected on this would see that there was no analogy between the position of the House of Commons and that Assembly; and that there could be no comparison made between them. Centuries must pass over, before this Colony was fit to receive a law which had received the sanction of a century in England. In England the constituencies were large and enlightened, and few persons exercised any influence over them by virtue of their office, excepting the high Officers of the Crown or noblemen whose means and wealth were not without effect with those whose ancestors had resided with their ancestors for ages, they exercised some influence, and it was proper that they should; but there was no corresponding class in this colony. But there was a class of persons connected with the Government who assumed an influence they did not possess, and made use of a grinding oppression to prevent the freedom of election. It was a fact that, in the Townships, a Bailiff, the very lowest of all officers, had more influence, through these means, than a wealthy farmer, or merchant. And if such was the case, how fearful would be the consequences if officers possessed of less abilities than were expected from bailiffs, were allowed to sit in that House; and yet these were the people who were put in comparison with the Members of the British Commons. There was no analogy between this Colony and England, and the man who would draw any must be either perfectly blind or grossly ignorant. Then let the number of Representatives in that House be compared with those of one of the States of America, and Hon. gentlemen ought to look oftener than they do to the working out of the system of that country, to guide them in the working out of ours, not forgetting that the one is Monarchical and the other Republican. In Massachusetts, Maine, and Vermont, there were 6, 7, or 8 Representatives, where there was one in that House. And let it not be said that the character of their Legislature was smaller than ours, for, on the contrary, it was larger;



there was more parish legislation here than there. The Hon. gentleman talked of liberality, and yet he had excluded those very officers one would wish to see in that House, and opened its doors to the meaner class. There was at least this preference to the higher order, if they did misbehave themselves and sell the votes to their constituents they would be sufficiently open to shame, to hang down their heads, if not before them, in that House. As for the exclusion upon which so much stress was laid, it was no exclusion to tell an office-holder, the duties of your office is (sic) incompatible with a seat in this House, for if he pleased, by giving up his office he was free to take his seat. Unfortunately in this country there was no public opinion, there was no enlightened and well conducted press, (ironical cheers) in which the conduct of members were reported, and their words and actions criticised. Yes, he repeated there was no public opinion, and a bad press - (ironical cheers which lasted for some time) -46

MR. GOWAN. - "Name! name!"47

MR. AYLWIN - If the member for Leeds dared him to name, he would name himself, for he was the conductor of a bad press. Hon. members would understand what he alluded to, but he would explain if compelled to do so.48

MR. GOWAN - "explain, I do compel you."49

The Speaker ((SIR ALLAN MACNAB)) said, the hon. member for Quebec was out of order, he had no right to say anything regarding Newspapers.50

MR. GOWAN, the member for Quebec in alluding to me has given utterance to a slander. (Order, order).51

MR. AYLWIN said, if the hon. gentleman complained of slander, it was not the first time that he himself had been complained against for Libel. (Order). In mentioning this particular instance, perhaps he had not done justice to Newspapers in general. But there was no enlightened Press, to teach the people by the force of its opinion, how to enjoy Constitutional Liberty. Let the number of papers in this country be compared with the number in the United States, and it would be seen how far behind Canada was in this respect. And could such a country as this be put in comparison with England, in a matter of the greatest importance to the freedom and purity of Elections. The number of members in that house was too small, and the amount of interests committed to their charge too great to allow place-holders to sit in that House. In the last Administration the greatest opposition which ((was)) ever offered to it was from those who were receiving the pay of the country. There was a wide difference between the Sheriffs of England and those holding the office here; in the one the Sheriff was a man of property, the duties were done by some Attorney; but here they did them and received the fees themselves. If such officers sat in that House, and a Bill were introduced, such as had been brought

forward, to cut down their fees, they would say to the Administration "take care, we are more powerful than you," particularly when there was only a majority of two. The member for Leeds had said that it was necessary to the proper working out of Responsible Government that this Bill should pass; but he declared that it would be the most deadly blow yet aimed at it, for he was not afraid of the moral influence of a majority of two or five. He distinctly declared that he had no wish to see the paid officers of the country using their influence and arraying themselves against the Administration. The present Bill had the effect of preventing the offer of office to a member of that House, because he could not hold it, and his seat together. If any alteration was made in the law, it must be done together with an enlargement of the representation. Examples had been adduced of the good working of the English system, but none had been brought of the bad working of that now in force in this country. There were no petitions against it, no one had complained but the member for Leeds, which certainly looked a little suspicious. Only one speech had been made on the occasion, and the subject seemed to excite very little interest. The last bill had passed by a large majority in both Houses, and how would they look in the eyes of the sister colonies and of the United States, if without any experience of its working, they were now to alter it. They might then well be accused of "bungling" legislation. He hoped the measure would not be pressed, or if it was, as the hon. gentleman said it was not a party measure, that all parties would vote against it.<sup>52</sup>

MR. LAFONTAINE moved that the Bill be read a second time this day six months.<sup>53</sup>

MR. JOHNSTON hoped that it would be postponed for a fortnight. He wanted to understand the objects of the Bill. A postponement to that day six months was too bad. The introducer of the measure was entitled to some courtesy, and this course was only adopted when a very bad measure was brought before the House; and as far as he had seen, the Bill was neither good nor bad. He would therefore move that it be read a second time this day fortnight.<sup>54</sup>

MR. WILLIAMS would vote for Mr. Johnston's amendment. There were great objections to the existing law and if the Bill which had now been introduced would do away with them he would support it. But he had not yet read the Bill.<sup>55</sup>

MR. MOFFATT said, as the principle of the Bill was admitted it ought to be allowed to go into Committee of the whole.<sup>56</sup>

DR. DUNLOP hoped the consideration of the Bill would be postponed according to Mr. Johnston's motion, for he had not yet been able to look into it.<sup>57</sup>

COL. PRINCE was opposed to the Bill as altogether unnecessary and

gratuitous; there had been no petition or complaint against the existing law.<sup>58</sup>

MR. COLVILLE would vote with the member for Terrebonne, this time, as there were no petitions against the Act in force, and therefore they had a right to assume that there was no one aggrieved by it. But he hoped that the hon. member for Quebec would bring in a Bill to disqualify Baliffs (sic), after the eulogium he had made upon their mighty influence in the Townships. - (Laughter.)<sup>59</sup>

MR. AYLWIN - There is more truth than poetry in it, I can tell you.<sup>60</sup>

MR. ((J.S.)) MACDONALD (Glengary (sic) ), moved the previous question.<sup>61</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, he had no doubt that if the amendments were withdrawn, the member for Leeds seeing the opinion of the House was against him, would withdraw his Bill.<sup>62</sup>

MR. GOWAN was willing to do so. But before he did so, he wished to say in the face of Parliament that at no time had he sought office at the hands of any administration. And the hon. gentleman who had said that his introduction of this Bill was suspicious, well knew that. He called upon that hon. gentleman to say if while he was in power, he had ever solicited any such favour of the Administration.<sup>63</sup>

MR. AYLWIN, - Certainly not!<sup>64</sup>

The Bill was then withdrawn ((by MR. GOWAN)).<sup>65</sup>

FOOTNOTES - 10 FEBRUARY 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 13 February 1845; LE CANADIEN, 14 February 1845, translating the account in MONTREAL TRANSCRIPT, 11 February 1845, in an account identical to that of KINGSTON NEWS, 13 February 1845; LE JOURNAL DE QUEBEC, 15 February 1845; PILOT, 12 February 1845, and GLOBE, 18 February 1845 in identical accounts.
2. MONTREAL GAZETTE, 13 February 1845.
3. IBID.
4. PILOT, 12 February 1845.
5. LE JOURNAL DE QUEBEC, 15 February 1845.
6. PILOT, 12 February 1845.
7. MONTREAL GAZETTE, 13 February 1845.
8. LE JOURNAL DE QUEBEC, 15 February 1845.
9. MONTREAL GAZETTE, 13 February 1845.
10. PILOT, 12 February 1845.
11. IBID., which commented: "The learned gentleman did not, however, quote from these writers."
12. MONTREAL GAZETTE, 13 February 1845.
13. IBID.
14. IBID.
15. IBID. Ellipses represent an illegible phrase.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID., which added that he promptly left the House "in a huff".
26. The debate on this matter was reported by: PILOT, 12 February 1845, and GLOBE, 18 February 1845, in identical accounts. MONTREAL GAZETTE, 13 February 1845, noted it.
27. PILOT, 12 February 1845.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. According to the PILOT, 12 February 1845, the Committee finished with this bill somewhat after midnight.
36. The debate on this matter was reported by the MONTREAL GAZETTE, 13 February 1845, and KINGSTON NEWS, 13 February 1845, in identical



accounts; and LE CANADIEN, 14 February 1845, which translated the account in the MONTREAL TRANSCRIPT, 11 February 1845.

37. LE CANADIEN, 14 February 1845.

38. IBID.

39. The debate on this matter was reported by LE CANADIEN, 14 February 1845, whose account was translated from the MONTREAL TRANSCRIPT, 11 February 1845; MONTREAL GAZETTE, 11, 13 February 1845; GLOBE, 18 February 1845; LA MINERVE, 17 February 1845; and PILOT, 12 February 1845. KINGSTON NEWS, 13 February 1845, noted the debate. The BROCKVILLE RECORDER, 20 February contained a commentary.

40. MONTREAL GAZETTE, 13 February 1845.

41. IBID.

42. IBID.

43. IBID.

44. IBID.

45. IBID.

46. IBID.

47. IBID.

48. IBID.

49. IBID.

50. IBID.

51. IBID.

52. IBID.

53. IBID.

54. IBID.

55. IBID.

56. IBID.

57. IBID.

58. IBID.

59. IBID.

60. IBID.

61. IBID.

62. IBID.

63. IBID.

64. IBID.

65. IBID.

WEDNESDAY, 11 FEBRUARY 1845.

(250)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Méthot, the Petition of the Reverend P. Pouliat and others, of the parish of St. Pierre Les Becquets, in the county of Nicolet; and the Petition of Thomas Fortier, M. D., and others, of the parish of St. Edouard de Gentilly, in the county of Nicolet.

By Mr. Christie, the Petition of H. O'Hara, Esquire, and others, of the county of Gaspé.

By the Honourable Mr. Baldwin, the Petition of Dugald Munro and others, of the township of Southwold, in the district of London.

By the Honourable Mr. Robinson, the Petition of Thomas Drury and others, of the townships adjoining the Holland Landing in the county of Simcoe.

By Mr. Taché, the Petition of Joseph Painchaud and others, Physicians and Surgeons, residing in Quebec.

By Mr. Dunlop, the Petition of Robert Fleming Gourlay.

By Mr. Duggan, the Petition of Oliver Hammond, of Springfield, in the township of Toronto, in the Home district; and the Petition of William Smith and others, of Toronto, and other townships in the Home district.

By Mr. Boulton, the Petition of George P. Ridout, Esquire, and others of the city of Toronto; the Petition of the Reverend Frederick Mack and others, members of the United Church of England and Ireland, in the town of Amherstburgh and its vicinity, in the diocese of Toronto (relating to Clergy Reserves); the Petition of the Reverend W. S. Darling and others, members of the United Church of England and Ireland, in the township of Scarboro and parts adjacent, in the diocese of Toronto, (relating to Clergy Reserves); the Petition of the Reverend Adam Townley and others, members of the United Church of England and Ireland, in the village of Dunnville, and vicinity, in the diocese of Toronto, (relating to Clergy Reserves); and the Petition of the Reverend J. B. Fuller and others, members of the United Church of England and Ireland, in the township of Thorold and vicinity, in the diocese of Toronto, (relating to Clergy Reserves.)

Petitions  
referred.

B. Bowman,  
Esquire.

Ordered, That the Petition of Baxter Bowman, Esquire, and others, of the county of Ottawa, be referred to the Select Committee to which was referred the Bill to impose a Duty on Distillers and Brewers, and on the spirituous

and fermented liquors made by them, and to provide for the collection of the said duties, and other references.

Rev. J. Deacon and others.      Ordered, That the Petition of the Reverend Job Deacon and others, members of the United Church of England and Ireland, in the parishes of Adolphustown and Fredericksburgh, in the Midland district, (relating to schools,) be referred to the Select Committee, to which was referred the petition of the Right Reverend the Lord Bishop of Toronto and others, members of the United Church of England and Ireland, in the city and vicinity of Toronto (relating to schools.)

Rev. G. W. Warr and others.      Ordered, That the Petition of the Reverend George W. Warr and others, members of the United Church of England and Ireland, in the township of Trafalgar, in Upper Canada, (relating to schools;) the petition of the Reverend J. Wilson and others, members of the United Church of England and Ireland, in the mission of Colborne and Grafton, in the diocese of Toronto, (relating to schools), be severally referred to the said Committee.

R. & P. M'Kay.      Ordered, That the Petition of Robert M'Kay and Peter M'Kay, of Montreal, be referred to the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal.

Ordered, That Mr. Gowan and Mr. Jessup be added to the said Committee.

W. Dickson and others.      Resolved, That the petition of William Dickson and others, inhabitants of the district of Gore, residing on the Grand River; be referred to a Select Committee, composed of Mr. Dickson, Mr. Chapman, and Mr. Webster, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Mayor, &c., of Montreal.      Ordered, That the Petition of the Mayor, Aldermen, and Citizens of the city of Montreal, (relating to the Clerk of Weights and Measures,) be referred to the Special Committee, to which was referred the petition of the Mayor, Aldermen, and Citizens of the city of Montreal, (relating to the ordinances incorporating the said city,) and other references.

Royal Institution of Learning.      Ordered, That the Petition of the Board of the Royal Institution for the advancement of learning, be referred to the Select Committee, to which was referred the petition of the Honourable Vallières de St. Réal, Chief Justice of Montreal, and other references.

Church Society  
Quebec.

Ordered, That the Petition of the Church Society of the diocese of Quebec, be referred to the Select Committee, to which was referred the Petition of the Church Society of the diocese of Toronto, and other references.

W. H. Moore  
and others.

Ordered, That the Petition of William H. Moore and others, of the district of Colborne, be referred to the Select Committee, to which was referred the Petition of John Wetenhall and others, of the township of Nelson, in the district of Gore, and other references.

(251)

Letter of  
Jos. Légaré.

Ordered, That the letter of Joseph Légaré, the younger, Esquire, communicated to this House, yesterday, by Mr. Speaker, be referred to the Standing Committee on Contingencies.

Petition of N.  
H. Baird.

Mr. Duggan, from the Select Committee, to which was referred the petition of N. H. Baird, Civil Engineer, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have carefully investigated the claim of the Petitioner for the sum of £77 8s. 4d., due him for attending before a Committee of the House of Assembly, and find satisfactory proof and vouchers to establish a just claim to the above sum.

Your Committee respectfully recommend to your Honourable House the payment of the same, and that the same may be included in the contingencies of the Legislature.

Ordered, That the said Report be committed to a Committee of the whole House, to-morrow.

Chambly  
Canal.

Ordered, That the first Report of the Special Committee appointed to enquire into all matters and things connected with the management and collection of dues on the Chambly canal, be committed to a Committee of the whole House to-morrow.



Board of Works.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

A Report of the Board of Works in accordance with the 30th Section of the Act 4 and 5 Victoria, chapter 38, dated December, 1844.

(For the said Report, see Appendix A. A.)

District Courts Upper Canada.

The Order of the Day for the House in Committee on the Bill to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of District Courts in the several districts of that part of this Province, formerly Upper Canada, being read.

The House accordingly resolved itself into the said Committee.

Mr. Macdonald, of Glengarry, took the chair of the Committee,<sup>1</sup>

An attempt was made to increase the jurisdiction of the District Courts to £50 for unliquidated claims and £100 for liquidated ones. The champions of this amendment were MESSRS. ((GEORGE)) MACDONELL of DUNDAS & MERRITT.<sup>2</sup>

It was opposed by the Lawyers generally including MESSRS. SHERWOOD, BALDWIN, ((HENRY)) SMITH of Frontenac, ROLLAND MACDONALD, &c <sup>3</sup>.

MR. ROBLIN proposed £40 & £75. The old rates were £15 & £40 the new ones proposed by Mr. Sherwood £25 & £50.<sup>4</sup>

MR. ROBLIN's amendment did not carry.<sup>5</sup>

((MR.)) JEMMY JOHNSTON ((spoke))<sup>6</sup>.

MR. SHERWOOD ((replied to him.))<sup>7</sup>

Several ((members)) tried unsuccessfully to put him ((Mr. Johnston)) down.<sup>8</sup>

MR. PRICE rebuked them and pointed out that it was all owing to their own encouragement of persons who acted in a grotesque and extraordinary manner. He advised them not to laugh at such conduct in future.<sup>9</sup>

MR. HALL stated that he understood and believed that one hon. member ... had been sent to that House because he was a nuisance in his own county.<sup>10</sup>

(251)

and after sometime spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonald, of Glengarry, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Quebec Library Association.

An Act to incorporate the members of "The Quebec Library Association."

Canada Baptist Missionary Society.

An Act to incorporate the Canada Baptist Missionary Society.

Soeurs des Jésus et Marie.

An Act to incorporate "La Communauté des Soeurs, des St. Noms de Jésus et Marie," of the parish of St. Antoine de Longueuil, in the district of Montreal, for the purposes of education.

And then he withdrew.

Outrages, Public Works.

The Order of the Day for the House in Committee, to take into consideration the propriety of providing for the better preservation of the peace, and the prevention of riots and violent outrages at, and near public works, while in progress of construction, and of granting a sum of money for the purpose of carrying into effect the same, being read.

The House accordingly resolved itself into the said Committee.

Mr. Johnston took the chair of the Committee,<sup>11</sup>

MR. ATTY. GEN. ((JAMES)) SMITH said, it was not his intention to detain the House long upon this occasion<sup>12</sup>, as the notice of his intention to make this motion had been before the house for a long time, and every hon. member must be aware of its tendency.<sup>13</sup> A message had been sent down by the Governor General to that House, accompanied by documents relative to the outrages which had occurred upon the public works. The object of the Bill it was the intention of the Administration

to introduce was fully stated in the preamble of the Bill before the House, and he now moved to resolve that it was expedient to provide the necessary funds to carry this measure into operation. The principle introduced in this measure was to give power to the Executive to declare by proclamation to what portion of the Public works of the Province this measure was to apply, and to discontinue that application when the necessity should cease to exist, that persons upon the line of the Works should be obliged to enregister the arms in their possession, to make known to the officers appointed for that purpose the fact that they had firearms in their possession, and to obtain a licence for the same. If (sic) further provided for, the establishment of a mounted Police Force, under the control of the Executive, to be placed upon the various portions of the Public Works requiring them. It was not necessary for him to say that it was absolutely necessary for the preservation of the peace, and the lives and properties of the inhabitants of this colony that these extraordinary powers should be granted. It was too well known that the existing law was not sufficient to meet the exigencies of the case, for outrages were committed, dwellings entered and pillaged, and property destroyed, while it was impossible to reach the offenders. The law did not meet the perpetrators of these outrages. There large bodies of men were congregated together, they were beyond the control of the law. It would be found from the statements placed before the House, that the inhabitants of these parts of the country upon the public works, were deterred from seeking the protection of the law for fear of their lives, and dared not avail themselves of its power to prevent the recurrence of these lawless acts, or to punish those who were guilty of them.<sup>14</sup> He therefore moved that the committee grant a sum of money for that purpose, to be placed at the disposal of the Executive.<sup>15</sup>

MR. AYLWIN said it appeared to him, when Ministers came down and asked the sanction of that House to an extraordinary measure like this, that it was their bounden duty to furnish the House with such a statement of facts as should justify it in voting for this motion. But what statement had been made to that House to justify the appropriation of a sum of money to this purpose - What statement had been made to convince it that the public peace was disturbed upon the line of these works?<sup>16</sup> The committee knew nothing of these outrages that the Attorney General mentioned; there was no information whatever laid before it.<sup>17</sup>

MR. ATT. GEN. ((JAMES)) SMITH - The Message of His Excellency the Governor General, and the documents accompanying it<sup>18</sup>, recommending the house to adopt some measures to enforce peace on these works<sup>19</sup>, have been placed before the House.<sup>20</sup>

MR. AYLWIN - He was told there was a Message from the Governor General, he moved that the Message should be read.<sup>21</sup>

The Chairman (MR. JOHNSTON) objected to the reading of the Message;

it had been already read, and it was again called for no other purpose than factious opposition. If such a course were persisted in he should leave the Chair. (Cheers and laughter.)<sup>22</sup>

MR. MOFFATT said he hoped the Message would be read; the Member for Quebec was perfectly in order in requiring it.<sup>23</sup>

The Message was then read.<sup>24</sup>

MR. AYLWIN said that he felt great surprise that Her Majesty's Ministers should have made this motion, because that Committee was certainly unaware of the fact of any disturbance whatever having taken place; there was no proof offered to it that any portion of the country was disturbed.<sup>25</sup>

MR. ATT. GEN. ((JAMES)) SMITH said - If the Hon. gentleman had examined the documents sent down with that Message, he would have found those facts. They had been before the House some time, and he might have read them had he thought proper to do so.<sup>26</sup>

MR. AYLWIN moved that they should be read.<sup>27</sup>

MR. JOHNSTON objected to the reading.<sup>28</sup>

MR. AYLWIN had a right to insist that they should be read.<sup>29</sup>

MR. JOHNSTON - You can't order me to read them. You may move for them to be read if you like.<sup>30</sup>

DR. DUNLOP said - It was well known that there had been riots, and therefore, in manner of Sir Boyle Roach in the Irish Parliament--<sup>31</sup>

MR. JOHNSTON said - He was sorry to say that his learned, respected, and venerable friend was out of order, and must take his seat.<sup>32</sup>

The Attorney General (( MR. JAMES)) SMITH asked the house to consider what a length of time these documents were before the house, when the hon. gentleman could have read them through if he chose; and he put it to the house, was it right that an hon. member should now call for them to be read,<sup>33</sup> ((that)) two hours should be occupied in this manner,<sup>34</sup> when a resolution was based on them, and more particularly as both the notice of the resolution and the documents he referred to were so long within the reach of hon. members? He had not the slightest wish to prevent hon. gentlemen from getting all necessary information; but when the time of night and the immense volume of these documents were taken into consideration, he hoped he would be justified in opposing the request of Mr. Aylwin.<sup>35</sup>

MR. BALDWIN said it was not usual to call for the reading of such a



voluminous mass of papers which had been for some time before the House; neither was it usual for Ministers to come down to that House and ask for the powers now required, without some statement in proof of the necessity of the grant. The Attorney General had not made any statement, he had not adduced a single fact in corroboration of the alleged unfortunate state of affairs upon the public works.<sup>36</sup> He would find that was always done in the English Parliament in a similar case, if he would look into the Mirror of Parliament, or any other collection of debates of the English Commons<sup>37</sup>. While he was anxious to do all in his power to support the endeavours of Government to preserve the public peace<sup>38</sup>, (hear, hear), as he looked upon it as their duty to preserve it, (Hear, hear.)<sup>39</sup> and while he was prepared to go all lengths to give them the necessary powers to do so, yet he felt before he was asked to grant these great and arbitrary powers, the first step Ministers should have taken was to satisfy that House that they were necessary. He would not say but what they might be so under the circumstances, but he wanted to be satisfied that those circumstances really existed.<sup>40</sup> He had an instance in point in the case of the Irish Coercion Bill; and if the Attorney General would read the debates on that bill, he would find that<sup>41</sup>, when Lord Grey introduced his celebrated Coercion Bill, he came down to the House regularly prepared, and went into an explanation which embraced a detail of the whole state of Ireland, and showing that the ordinary course of law and justice was not sufficient for the occasion. After having established that point, he showed the applicability of the remedy he proposed to the existing evils.<sup>42</sup> He then appealed to the House to grant the means for carrying out the views of the government<sup>43</sup>. But such a course had not been taken that night; and why should all these powers be given without such a statement. Ministers were bound to preserve the peace of the country, and if they made out a case, Parliament was compelled to give them the power they asked for, and it was no more than their duty to ask it. For his part, if it was necessary, he would cheerfully give these powers to them, and sustain them in the exercise of them.<sup>44</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH - The case cited by the Honorable Gentleman was not one which could be applied to the measure before the House. The operation of that Bill was to extend over the whole of Ireland<sup>45</sup>, and a change was to be made almost in the Government of that country.<sup>46</sup> And it was necessary, when extraordinary powers were asked for, powers that were to apply to a whole kingdom, that Ministers should be prepared to give an exposition of the facts whereupon that Bill was predicated.<sup>47</sup> But surely in this case, when the Government only asked to be enabled to station a police force along the lines of two or three canals, the hon. gentleman would not say that under those circumstances, it was necessary for the Government to enter into such long details.<sup>48</sup> Did the Hon. Member for Quebec wish that he should narrate to him the series of outrages which had been committed<sup>49</sup>, that on such a day, at such an hour, a man was knocked down, and had his head broken,

and that on another day a house was burnt, or a fence carried away?<sup>50</sup> Did he expect that he should give a narration of these acts whereby the peaceable inhabitants of the County had been placed in peril of their lives? It only needed a knowledge of these facts to convince any one of the necessity of this measure. This Bill and the documents upon which it was predicated had been before the House for some time, and he really hoped that that would be sufficient without the reading of them being insisted on. The powers applied for were, it was true, great, but when taken into consideration with the circumstances of the case, they were very limited. They were only intended to apply to those portions of the public works where it was absolutely necessary, and to exist no longer than the necessity. If that Bill coerced the rights or liberties of any citizen of the country, then it would have been his duty to have come down to that House and portrayed the state of the country which required the exercise of such extraordinary powers. But it was not to apply to these, but only to masses of men congregated together, having arms in their possession, and over which the ordinary power of the law had no control. He could not then be called upon to narrate, one by one, the acts of violence which had been committed, but the mere allusion to them ought to be sufficient. If Hon. Members had examined the heaps of documents which had been laid upon the table with the Message of His Excellency, they would not say that he (Mr. Smith) had departed from Parliamentary practice in introducing this resolution without an exposition of the facts.<sup>51</sup> The Bill he proposed to introduce was not coercive, nor was ((it)) intended to tyrannise over any of the subjects of the Queen.<sup>52</sup>

MR. ROBINSON was astonished to hear hon. members on the other side of the House asking for an explanation of the circumstances which had induced the Government to make this motion, as those hon. gentlemen repeatedly asked when this motion would be laid on the table, and in fact urged it on. He confessed he did not see any necessity for detailing any of these reasons: they were too notorious.<sup>53</sup> It was only a few days ago, when he was in Williamsburgh, he heard of stores being broken into by bands of Canalmen, one man's house burned down and other serious outrages committed, and Government had been called upon to send troops to preserve the peace, and it must be also well known that<sup>54</sup> the troops were not as effective in such cases as an established Police Force. And it was useless to say that there was no fear of these scenes of violence occurring again. What had happened on the lines of the canals would happen there constantly, until some check was put on the people employed on them.<sup>55</sup> He had himself resided for some time upon the Welland Canal, and after every other effort which had been made to keep the peace had failed, he had been obliged to adopt the very same means as those pointed out in this Bill, although without authority. Under the operation of the law as existing, the perpetrators of these outrages were beyond its control, and set the authorities at defiance. It had been frequently asked why, do you not send the troops, who are paid by the country, to preserve the peace in these disturbed districts? He

answered because that force had not been found efficient, it could not act without a Magistrate; and these outrages were committed in such a quiet and secret way, that the mischief was done before they got upon the ground. As a magistrate he had himself continually carried the Riot-Act in his pocket, and yet, with every precaution, he had found that the military force was not sufficient. The Hon. Member for Quebec affected to doubt the existence of these outrages, as if they were not a matter of public notoriety: but if it afforded him any gratification to hear a lengthened narration of those outrages read, he would not oppose him. The evidence which he had himself given showed that there was at least one portion of the Province where they had taken place, and still continued. The Bill ought to pass as soon as possible, and if any amendments could be suggested to it in a committee of the whole, he should be happy to listen to them. Those who spoke of the power asked for as being too much could not be aware of the necessity of the circumstances.<sup>56</sup>

MR. ((GEORGE)) MACDONELL (Dundas) - The Hon. Member for the Fourth Riding of York had upon more than one occasion professed his desire to support the efforts of the Attorney General in any measure for the benefit of the country, and he thought, after those protestations, that the observations that gentleman had made on the present occasion came with a very bad grace. He had given him credit for sincerity, for he believed him to be friendly to the interests and the liberties of the people of the country, and would protect them in their rights. But on the present occasion he had found fault with the Hon. Attorney General for not making a long speech. It appeared to him that the Attorney General had done all upon this occasion that he was called upon to do. A Message had been received from his Excellency, accompanied by documents, relative to these outrages; notice had been given of the intention of Government to bring in this measure; these documents had lain upon the table for several days, and he had a right to presume that every Hon. Member was in possession of the facts, when he moved the House into Committee of the whole. After this, the Hon. Member for the Fourth Riding of York ought to have been satisfied, and supported the resolution. He would ask that Hon. gentleman if he would not be satisfied to move in this matter without a single word, without referring even to the documents before the House, from what he had seen in the public journals and what he knew of the sufferings of the people from east to west. If he cast his eye over the public prints he would find them teeming day after day with narrations of outrages committed by these lawless characters, who were in a state worse than that of civil war; and was that not sufficient to satisfy him to move in this matter without a set speech being made for the occasion? He (Mr. Macdonnell) felt sure, that when the Hon. Member for the Fourth Riding had ventured on those remarks, he had done so from the mere force of habit, rather than a reference to the merits of the case; he must feel what the peaceable inhabitants of the country were suffering under, and if the Members of that House remained passive now, the responsibility of the destruction of the lives and



properties of the people was upon their heads. The County of Dundas had the misfortune to have the line of the St. Lawrence Canal passing through its frontier, and during the last year nearly four thousand men were employed there, and during the whole of last summer the country was robbed and pillaged, and the inhabitants maltreated, and in some instances nearly lost their lives by them. The documents before the House, the presentments of the Grand Jury, showed that such were the facts. When these men were not engaged in pillaging and ill-treating the inhabitants of the country, and abusing their domestic hearts, they were arrayed against one another, and Cork and Connaught, and God knows what beside, were engaged in warfare amongst themselves; they barricaded the frontier against one another, they erected barriers across the country to keep those of one party from going down to other portions of the works. After plundering the inhabitants of their arms, they mounted the ramparts in military fashion, and waged deadly war against one another. He would go further than the Inspector General had gone; he would not only subscribe to every thing he had said, but he would go further still and tell that House, that within a short period, because the contractors ceased the works, from the ground being so hard frozen as to render it disadvantageous to them to continue, these people, because their masters did not desire to continue the works, committed a deliberate act of arson and burnt down the house of the contractor to the ground. He trusted that this statement of facts would be sufficient for the Hon. Member for Quebec. He (Mr. Macdonnell) must say that he had felt dissatisfied with the government because it had not brought forward this measure to protect the people at an earlier period, and he believed that that feeling also existed in different parts of the country. After the appeals and petitions which had been laid at the foot of the Throne upon this subject, he felt that the matter had not been taken up as it ought to have been at the time, why were not the troops sent out to keep down these savages, for<sup>57</sup> "a horde of savages"<sup>58</sup> they had shown themselves to be. He, however, thanked the Government for this measure of tardy justice, because it would at least have the effect of protecting the survivors, although he must still regret that the troops had not been called out in the first instance, when the lives and properties of the sufferers would have been saved.<sup>59</sup>

MR. AYLWIN - He was surprised that the Atty. Genl. should have brought forward a motion for the approbation of that Committee which was an admission on the part of himself and colleagues, that they were unable to preserve the peace in Her Majesty's loyal Province of Canada.<sup>60</sup>

MR. JOHNSTON - There is nothing in the Message or motion about "unable," I will thank the Hon. gentleman to confine himself to the motion.<sup>61</sup>

MR. AYLWIN deferred to the judgment of the Chairman, but he trusted that he would allow him as much latitude in expressing his opinion as that gentleman would desire if he was in his place. He repeated that he was surprised that the Hon. Atty. Genl. should bring before that



Committee a motion which was an admission on the part of himself and colleagues, that they were unable to preserve the peace of the Province. They were not living in a time of rebellion; these works upon the canals were not works of yesterday, but had continued for three years, and why was the attempt made at the present time for further legislative provisions to restrain the proceedings upon one or other of them. The Hon. Atty. Genl. was called upon when he made that motion, to state to the House the reasons which had induced Ministers to ask for the interference of the Legislature. But on the other hand, he had assumed, as a matter of course, that the people of the Province were conversant with these facts, and knew everything that had occurred on the line of these works. But he was in error, for he (Mr. A.) knew nothing at all about them, and he believed that there were many Hon. Members about him who were also unaware of them. The Attorney General was bound to have made such a statement as to have satisfied the Committee of the expediency of their interference to check the evil complained of and yet not one syllable had he said. The Inspector General had dealt in Generalibus, and the Member for Dundas was, in reality, the Minister of the Crown, and had made a statement of outrages which had been committed. It was necessary for that Committee to pause before it gave its assent to the proposition of the Attorney General. What evidence was there before the Committee or the public at large of outrages which called for this extraordinary interference. He contended that there was no evidence. It was true that there was a declaration on the part of the Executive for the time being, but that declaration was not sufficient to satisfy him; it was not sufficient for Members to affirm the proposition of the Attorney General. Had there been no riots much nearer home than the line of public works? Had there been no outrages committed in the city of Montreal? And yet was there any motion brought forward or any attempt made to enquire into the causes of those riots, or to punish those who engaged in them? No! there was nothing of the sort. And now they were called upon to take it for granted that riots had occurred in other parts, and the individual who asked them to do so, was he whose duty it was to protect the peace of that portion of the Province formerly called Lower Canada, and who was responsible for it.<sup>62</sup>

MR. JOHNSTON, - The Hon. gentleman is out of order, we are not here to discuss the duty or the responsibility of the Attorney General; if you do not confine yourself to the question before the House, I shall leave the Chair. (Cries of Order! and laughter.)<sup>63</sup>

MR. AYLWIN was again obliged to defer to the better judgment of the Hon. Chairman. What he had been about to say was, that if it was the duty of any one to enforce the preservation of the peace of Lower Canada, it was beyond a doubt the duty of the Attorney General of Lower Canada; he was the officer who was bound to do so, and there could be no difference of opinion<sup>64</sup>--

MR. JOHNSTON - The Hon. Member is again out of order; he has no right in his speech to call any Member a constable, and talk about his being obliged to keep the peace.--(Laughter.)<sup>65</sup>

MR. AYLWIN, - The Hon. Chairman must have misunderstood the tenor of his observations. Her Majesty's Attorney General came before Parliament and stated that the Executive Government was unable to maintain the peace of the country without the assistance of the Legislature of the Province. If that were the case it was the bounden duty of the Attorney General to explain to that House and to the people at large the reasons of the necessity for the extraordinary intervention of the Legislature. But he had got up in his place, and introduced this measure as a matter of course, which did not require any discussion, as one that could not be objected to, when in point of fact it was one of those disarming Bills which had aroused the indignation of the people of Great Britain and Ireland, not once but a dozen times.<sup>66</sup>

MR. JOHNSTON, - The Hon. gentleman is again out of order, he has no right to be wandering over 3,000 miles into Great Britain and Ireland, and talking about things not before the House, he must confine himself to the motion before the Chair. (Laughter.)<sup>67</sup>

MR. AYLWIN - He should be careful to avoid all extraneous allusion, and not to make use of any special pleading upon this occasion. He said there were precedents in England and Ireland where the Government had introduced Bills similar to this, but he challenged the Attorney General to bring forward a single instance in which it had been done in the manner pursued by him. If a coercion Bill of this nature were brought in this manner before the House of Commons<sup>68</sup>--

MR. JOHNSTON--The Hon. gentleman must confine himself to the question before the chair. There is no coercion Bill. I am sorry to be obliged to call him to order so often.<sup>69</sup>

MR. AYLWIN was very sorry to differ in opinion with the Hon. Chairman. This was not a novel application made for the first time in this session, but similar ones had been previously made in the Parliament of Great Britain and Ireland, but when made they had been prefaced by a statement of the facts upon which the necessity was based. Ministers now called upon the people of this country, through their representatives, to allow the Government these extraordinary powers, powers it had no right to use without the consent of the Legislature, and when that application was made, the Attorney General did not rise in his place and state to the House the facts which warranted them in making that application. If ministers had made that statement, they would have had a right to apply to the legislature for its interference, but without that, what knowledge was it supposed that Members could have of what had occurred on this Canal or that Canal. Where there was no evidence placed before the House, it could

not be assumed to be cognizant of the facts implied. There had been no single individual instance of an outrage stated to the House, and you know Mr. Chairman<sup>70</sup>--

MR. JOHNSTON - I don't know, and what's more, I don't want to know. Let the Hon. gentleman confine himself to the question. (Laughter.)<sup>71</sup>

MR. AYLWIN - Upon what principle did the Attorney General get up and tell that House that outrages had been committed, and yet it was out of the power of the Government to bring the perpetrators to condign punishment? It was his duty to explain to the House how it was that this state of things existed. He had not said a single syllable to convince the House that the ordinary interference of the Courts of Justice was not sufficient to put down the outrages complained of; he had not shewn any cause whatever to justify the interference of the Legislature. Other Members had alluded to facts, and he was ready to admit that they were true, for it was assumed that every statement made to that House by a Member was the truth, admitting all that had been said to be true, how was it, he asked, that the military power had not been brought forward to put down the outrages? He would like to have that explained, for it had not been done. Why he would ask, was not the manner in which Ministers proposed to put down these outrages explained in a more full and definite manner, and not in the vague terms it had been done in.<sup>72</sup>

MR. JOHNSTON - I must call that gentleman to order again; if he would confine himself to the question before the House, I should have no objection to sit and listen to him until tomorrow, but if he digresses in this manner I must leave the Chair. (Loud cries of "Order" and laughter.)<sup>73</sup>

MR. AYLWIN - Not one syllable had been said to convince the majority of that House that the outrages alleged had occurred, and if Ministers expected them to vote as they desired, a full explanation must be given.<sup>74</sup>

MR. JOHNSTON - The Hon. gentleman is out of order: it is not necessary to call in witnesses to prove that a snow-storm took place the other day. It was notorious that these riots had occurred. (Order! Order! Chair!)<sup>75</sup>

MR. MOFFATT trusted that the Chairman would allow the Member for Quebec to proceed without interruption; he was perfectly within the bounds of order in saying what he had done. (Cheers.)<sup>76</sup>

MR. JOHNSTON - The Member for Quebec may proceed so long as he confines himself to the subject before the Chair, and does not travel out of the record.<sup>77</sup>

MR. AYLWIN - He felt himself compelled to make the remarks which he did, although in doing so he might trespass upon the time of the House. An extraordinary measure was brought before the House, a disarming bill was attempted to be introduced into Lower Canada, and the very necessity for such a measure argued an extraordinary state of affairs. He was of opinion that the power asked for by the Executive Government, could not exist in any country, and it be well governed. He recollected that in 1837 and '38 there were many things done by the Government<sup>78</sup>--

MR. JOHNSTON - The Hon. gentleman is again out of order, he has no right to refer to what occurred in 1837, that can have nothing to do with the question before the Chair. (Cries of Order.)<sup>79</sup>

MR. ROBLIN insisted that the Member for Quebec should be allowed to go on. The House had had quite enough of that nonsense, and if it was not discontinued, he should move that the Chairman leave the Chair.<sup>80</sup>

MR. JOHNSTON - I shall be happy to second the motion.<sup>81</sup>

MR. ((HENRY)) SMITH said he felt it was due to the dignity of that House that these interruptions should cease, or he should be obliged to move that the Chairman leave the Chair.<sup>82</sup>

MR. JOHNSTON. I'll second that. (Uproar and laughter.) I'll leave it as soon as ye like (continued uproar.) I want the hon gentleman to stick to the question. We don't want any "special pladin." The resolution is about the public works - what's that got to do with the rebellion? Move away! I'll leave the chair, and glad of it. But if hon. gentlemen are ignorant -<sup>83</sup>

Here a fresh uproar took place in the midst of which the member for Quebec ((MR. AYLWIN)) sat down<sup>84</sup>. He was desirous to give his opinion upon the present occasion, but, Sir, I feel that I shall not be able to do so, so long as you remain in the chair, and, therefore, I feel it my painful duty to take my seat. The subject before the House is one of the highest importance, and I am sorry that it should be postponed at this time.<sup>85</sup>

MR. CHRISTIE hoped that there would not be a long debate upon this matter; for his own part, he would not like to take upon himself the responsibility of delaying it one moment. There was quite enough evidence before the House in the documents which accompanied the Message of the Governor General to convince Members that the present means were not sufficient to maintain the peace upon the public works. And however much it was to be regretted that such a measure as that of disarming should be necessary, yet they would not be able to justify themselves to the country, if they refused to grant Ministers this



power. If this power was refused, more serious riots and bloodshed would be the consequence, and that House would be responsible for it, after the Government had come down and stated the necessity for its being granted. He was happy to see that his honourable friend from the Fourth Riding of York was not disposed to offer any opposition to the measure, and he hoped that no other Hon. Member would seek to raise a tedious discussion at this time.<sup>86</sup>

MR. GOWAN hoped that, after the observations which had been made by the Member for Gaspé, there would not be any discussion upon this resolution. The necessity for the measure must be obvious to all. The Hon. Member for the Fourth Riding of York had stated his intention of supporting Ministers in any equitable measure for the good of the country; and had that gentleman travelled by land to Montreal, he would have been convinced of the necessity of this:--he would have seen, in the County of Dundas, the fences destroyed for miles--the field and gardens laid waste--and his own eyes, if he had put his head out of the stage, would have given him evidence enough of the fact. If it was thought necessary, let the evidence be read, and in the volume he held in his hand would be found evidence of the strongest nature for a general reform of the crying abuses existing--there would be found the statements of<sup>87</sup> men of all parties, (including magistrates)<sup>88</sup> that they were seventy years of age, and that they could not preserve the peace--that houses had been entered and pillaged in open day, and the inhabitants did not dare to take any steps for the preservation of their property, for fear of their lives; and they called upon the Government to protect them.<sup>89</sup>

MR. DRUMMOND was not anxious to prolong the discussion, nor to offer any obstacle to this resolution; but he did desire to have time to read these affidavits. He had not seen them, nor was he aware that they were before the House; he was absent when they were sent down.<sup>90</sup>

The hon. gentleman was here interrupted by the chairman ((MR. JOHNSTON)), who observed, ... 'How could you know it if you are in Courts of Justice all day?'<sup>91</sup> (Uproar.)<sup>92</sup>

He ((MR. DRUMMOND)) certainly did expect that the Attorney General would have stated the facts upon which he had predicated this tyrannical Bill (Ironical cheers.) Yes, he said it was a tyrannical and arbitrary measure, it was the Canadian Arms Bill.<sup>93</sup>

MR. COLVILLE - There is no Bill before the House.<sup>94</sup>

MR. JOHNSTON - I rise to order - the hon. member is out of order in talking about Arms Bills - that aint the question - the question is -

Here a fresh uproar rose<sup>95</sup>.

MR. BOULTON said he would not sit in that House and hear such remarks addressed to Members. He moved that the Chairman leave the Chair, and ask leave forthwith to sit again.<sup>96</sup>

The Speaker ((SIR ALLAN MACNAB)) then took his seat.<sup>97</sup>

MR. JOHNSTON--Mr. Speaker it is the pleasure of the House that I leave the Chair, and the motion has been made out of pique against me.<sup>98</sup>

Speaker ((SIR ALLAN MACNAB)) - Order, Sir, take your seat.<sup>99</sup>

MR. HALL rose to a question of order; he had noticed upon several occasions that the spectators, (Order) that strangers in the House were in the habit of expressing their approbation or disapprobation of what was said there. He hoped that this remark would have the desired effect, for it would be painful for him to move that the galleries should be cleared.<sup>100</sup>

MR. HALE said that noises and disturbances did occur, and he hoped that if repeated the most stringent measures would be taken to preserve order below the Bar. (Order.)<sup>101</sup>

Speaker ((SIR ALLAN MACNAB)) - Gentlemen have no right to refer to any thing which occurred out of the House. They may move to clear the House if they think proper.<sup>102</sup>

MR. BOULTON said he had moved that the Chairman should leave the Chair in consequence of the continued interruptions he had been guilty of, and his having told the Member for Portneuf that if he attended Courts of Justice he could not know what was going on in that House.<sup>103</sup>

MR. JOHNSTON said he had been attacked by the mover of that motion, and his seconder, who would second any thing. Mr. Drummond had not confined himself to the question, but travelled out of the record, and he had told him if he had not seen those documents it was his own fault. (Order, order.)<sup>104</sup>

The Speaker ((SIR ALLAN MACNAB)) said:--Take your seat, Sir--If ever there was a period in which it was the duty of the Speaker to express his opinion, it is on the present occasion. The Member for Carleton had been repeatedly out of order that evening. When the House was in Committee if such conduct occurred, it was the duty of the Committee to rise and report it to the Speaker. It was then his duty to name that Member, and if such conduct was repeated, to order him to retire; if he did not do so, it was competent to a Member to move that he should withdraw, which, if he then refused to do, it was the duty of the Speaker to call upon the Serjeant at Arms to bring in his messengers

and bear him out of that House. The conduct of the Member for Carleton had been highly irregular.<sup>105</sup>

MR. JOHNSTON, - Do you refer to me?<sup>106</sup>

Speaker ((SIR ALLAN MACNAB))--Order, Sir. Mr. Johnston, you will again take the Chair.<sup>107</sup>

MR. AYLWIN<sup>108</sup> said he had been placed in a most peculiar and painful position by the interruptions to which he had been subjected. But his practice in Courts of Law had taught him to bear such quietly, although he confessed that upon no occasion had his forbearance been so severely tried. He was sorry, if on account of those interruptions he should be obliged to repeat some of the arguments which he had previously made use of. If he had not felt it a duty, which he owed to himself and his country, to take a conspicuous part in opposition to this measure upon the present occasion after what had occurred, he should have retained his seat and allowed other Members whom the subject might more directly interest to have expressed their opinions. He received the proposition of the Honble. Att. General as one of dangerous tendency; the system he had brought forward was one which had been repeatedly introduced into Ireland, but never had been tolerated in Great Britain. He looked upon it as an unconstitutional exercise of power, and felt that he should not be doing his duty if he did not stand forth prominently in opposition to it. It was said that the peace of the country was disturbed, and that the power of the laws was not sufficient to bring perpetrators of outrages to justice. Who, he would ask, was the responsible person, if such was the case, but he who had brought forward this resolution, the Hon. Att. General of Lower Canada, to whom was confided the preservation of the peace. He would narrate a fact to the House: two years since it was his duty as Crown Officer to attend the Criminal Court at Montreal, on which occasion the conduct of persons on the public works upon the Lachine Canal was brought under his notice. Affidavits of outrages were sworn against them, and he proceeded in the prosecution, and did all in his power to bring the parties to justice; but he was sorry to say he did not succeed; and he was compelled to state before the Queen's Bench, that the Magistrates of Montreal had most grossly misbehaved in not furnishing him with sufficient proof to obtain conviction. He had made that charge openly; and had further said, that as he stood there as the prosecutor of the Crown, he did not consider himself a conservator of the peace in that district, and therefore could not take any part in quelling the riots which then existed; but if they had taken place in the districts to which he belonged, if they had occurred in Quebec, he would have taken such an active part as a citizen, apart from his official character, as would have prevented their recurrence. As it was, he addressed the party in the most impressive manner that he could, aided by all the dignity which might be supposed to be attached to a silk gown, to the necessity of their behaving themselves in this country in

a different manner to their countrymen on the other side of the Atlantic, by orderly conduct and due observance of the laws; and he had the full sanction of the Court for so doing, although he was not supported by the Magistrates. It was the duty of the Government to call upon the Magistrates to account for the fact of outrages having been committed and the perpetrators not having been brought to condign punishment. He had said, at that time, to a gentleman who he believed to be an energetic Justice of the Peace, and for whom he then had the highest respect, but who, he had heard, had since acted not only as a Justice of the Peace, but, unfortunately, as something besides.<sup>109</sup>

Name.<sup>110</sup>

He ((MR. AYLWIN)) should not name. He (Mr. A.) had stated to him if there were outrages and riots, the guilty parties were the Magistrates, and, above all, the Police Magistrates. He had stated that before, and he now repeated it. When occurrences of this kind took place, he knew it must result from some improper behaviour on their part; he knew that there must be something wrong with the whole Magistracy, and that there was a change of some sort required. When Her Majesty's Government found disturbances increasing, and that proper means were not taken to put them down, he knew what was the matter. If the power of the Magistrates was not sufficient, why were the troops not called out? It had been stated that the Troops were not to be used as Police Officers,--that they were not to be placed upon the line of the Canal. He remembered, after the occurrence that he had mentioned, another fearful riot took place, then the Troops were called upon to interfere, and men were shot, and cut down, and driven into the water and drowned, and outrages were perpetrated which might be safely perpetrated in this country, but which would be tolerated in no other. The newspapers of the day said that it was all right and proper, and the matter was smoothed down. But there were some who did not think that it was right, and some little stir was made about it in vain. He would go on further; it was suddenly discovered that it was necessary to send a Military Magistrate to the Canal; that it was only needful to station this Captain Wetherall there to perfectly restore and preserve the peace. What, he would ask, was a man a better Magistrate, because he was a Captain, or a Colonel, or a General? Could no other have preserved order without the intervention of this Captain Wetherall? He knew nothing of Captain Wetherall personally, he had never seen him or met with him, but he was perfectly prepared to meet a gentleman of the highest character; but he said that it was a disgrace to the Province that a Military gentleman should have been selected as necessary to keep the peace in any portion of it. It was referring them back to 1837 and '38 to say that the civil power was not power sufficient, and that it was necessary to have red coats to preserve the peace, but the gentleman had been selected by the Baronet at the head of the Administration<sup>111</sup>--



MR. ATTORNEY GENERAL ((JAMES)) SMITH rose to order - he hoped that the Hon. Gentleman would speak to the question; his whole discourse was a series of attacks upon private character.<sup>112</sup>

MR. AYLWIN rose, amid loud cries of question. He was prepared to resume his observations in spite of the cries of question: his remarks had been perfectly pertinent, and he repeated that the appointment which had been made was improper and injudicious, and that Her Majesty's Representative acted wrong in advising a Military gentleman to be sent in order to maintain the peace upon the line of the canal. It ought to be recollected that the people of this Colony were determined to live peaceably and quietly, and if it is necessary to maintain the peace it must be done legally. If he was told that there was a necessity for an extraordinary interference<sup>113</sup>--

MR. JOHNSTON - The Hon. Member is out of order; this conclusion was not to be tolerated, and he trusted that he would not rise again, unless he could confine himself to the subject before the chair.<sup>114</sup>

MR. AYLWIN - Then, Sir, I shall move that you leave the chair.<sup>115</sup>

MR. SOL. GEN. ((HENRY)) SHERWOOD said, that Mr. Johnston, in his praiseworthy endeavour to preserve order, was going a little too far. When the House was in Committee, a greater range was given to Members, and they were allowed to speak twice or thrice upon any subject, in order to make known their opinions; and if the Hon. Member for Quebec was opposed to this measure, he had a right to give his reasons for it; he has been perfectly in order when checked by the Chairman, and he hoped he would be allowed to proceed and the same latitude would be allowed to Members upon this side.<sup>116</sup>

MR. AYLWIN, as he had before said, his position was a painful one, and there was no member who would not sympathize with him for the manner in which he had been interrupted. He would state to the House, that one ground of antagonism which had existed between him and the late Administration, was relative to the matter of the appointment of Captain Wetherall. (Ironical Cheers!) He felt that it was wrong to allow that appointment, and he boldly declared, that but for the duty which he owed to his party, he would have retired at the time from the office which held. He had looked upon that appointment as an insult to the Country at large, and he thought that that man was the last that should have been appointed. It was the duty of the Administration to preserve peace and order, and if that could not be done in the District of Montreal by the Magistrates in office, they should have been dismissed, and others appointed. He was satisfied that if that principle had been carried out, the murders and infamous scenes that had occurred in Montreal since, would have been avoided; scenes which had taken place since the assembling of that Parliament. Why were Magistrates appointed if it were not to preserve the peace, and if they did not do their duty, why were not others appointed in their place.

If this step were not taken, the Administration were legally responsible for the consequences. He admired the conduct of the Mayor of a city in England, who, upon the occasion of a great riot, took a bold and active part, and was successful in keeping the peace; he was knighted for his conduct; he deserved well of his country, and if the Magistrates of Montreal had had the same desire to preserve the peace, they would have deserved the same, and been among the men that the Queen delighted to honour; but, instead of having done so, they had allowed the matter to go over, and the men to whom he had previously referred went out of Court without conviction. He had made it a subject of remark to the Administration at the time, and some steps had been taken in consequence which he had hoped would have had some effect: he had told the Magistrate to whom he had previously alluded, do you go out to Lachine, I will follow you, point out to me the persons who have been guilty of these outrages, and no matter what the disparity of force between us, I will lay hold of him and bring him up; but he was not prepared to do so, but folded his arms and did nothing; the consequence was, that many lives were lost, people were sabred and shot, and lives had been lost even since that Parliament assembled and the cause of all was the conduct of the Magistrates of Montreal. While at Quebec, he had seen affidavits sworn upon oath, by parties who stated that they were engaged to hire 80 sailors to come up to preserve the peace at Montreal during the election, and those persons were mustered in places in Quebec, the very last of all in which persons would assemble who were desirous of so doing. And yet they had seen nothing done to prevent this, and for that reason he was rather astonished at the introduction of this Coercion Bill, a bill that was to place the people of Canada in the same position as the people of Ireland. At the time that the Montreal election was going on, he (Mr. Aylwin) had taken an active part, and made the greatest exertions in order to oppose the Administration for the time being, and when he found those sailors engaged to go to Montreal, he would not allow them to leave Quebec without applying to the Magistrates to prevent it. He had declarations made by parties who stated that they had authority from Montreal to hire these men. These declarations were not drawn up by himself but he had preferred that they should be done by another Magistrate under his inspection. But those declarations had never been acted upon from that time until now: not one prosecution had been brought by the Attorney General or the Crown Officer. Whether he was right or wrong, he would have done so if he had been Solicitor General, and he would have been more pleased to have prosecuted persons, who had acted in favour of the party to which he belonged than the opposite. Her Majesty's Government had taken the same course in 1841, when a murder was committed at the election for Terrebonne, and no indictment was brought against the murderer. He had then asked the Crown Officer whether no indictment was to be issued, and he replied that he (Mr. Aylwin) had no right to assume that there would be none, for the Court had not terminated its sittings. The result would show that he was correct for no indictment was brought; and in the present case, although these men declared that

they were hired for the purpose of coming to Montreal to take part in the election, no indictment had been brought against any of them. It had been said that two hundred men were brought up by H. Charlevoix from Quebec to take part in favour of the Hon. Member for Portneuf. It was false; he knew it to be false; and he also knew the truth of the other statement. Knowing these things, how could he allow that resolution to pass silently? If others choose to remain silent, they might do it, and if he did not succeed in this opportunity, he should only share the faith of higher, better, nobler minds than himself which had taken fire in Great Britain and Ireland, and done all that they could to resist similar measures. It may be said, that he had trespassed long upon the time of the House, that he had made a long speech; he cared not, that speech was for the good of the Province. He looked with a jealous eye upon such measures as this. They would next have the Peel Acts, and their doors would be marked, and the names of the inmates chalked upon them; they were coming to this when measures of this sort were proposed. Did gentlemen think if this law were passed, that it could be carried out; it might have been done when they had a strong Military force at their back, but it would not be done now. He hoped that Hon. gentlemen would require better proof than had been offered of the necessity of their measure, before they passed an Act of proscription, an Act which brought back the violent times of the word Annals of Ireland. That measure might pass here in silence, but it would not be without its effect. It might be three months, or six months, or a year, before it was known on the other side of the Atlantic. But when known, there would be a revulsion in public feeling and Ministers would be compelled to repudiate the whole doings of the last eighteen months, and to acknowledge that they knew them to be lawless, without the sanction or support of the people, and against their express declaration, that they had been carrying on the game which George 3rd did with his first Minister. And he would tell Honble. gentlemen if they subscribed their votes in favour of this measure, they would not be able to hold up their heads that day five years.<sup>117</sup>

MR. DRUMMOND said, he considered the Bill the Attorney General was about to introduce as an arbitrary one, as a measure of coercion, and therefore had been desirous of further time to look into the documents on which it had been predicated. He had examined the resolution before the chair and found it ((to)) be merely to resolve that it was expedient to provide a sum of money for preserving the peace upon the public works; and he heartily concurred in it. - (Cheers). - It was perfectly in accordance with a report which he had made to the late administration and which was partially adopted. The Inspector General had some experience in these matters he was aware; and he Mr. D. also though he had not lived on the line of the works, yet knew something of them, having been called in to investigate the causes and progress of the riots at Beauharnois two years ago. He had performed that duty in company with two other gentlemen, one of whom was the late lamented Mr. Morrogh, and the other Capt. Wetherall; and after going through a great mass of evidence they had come to the unanimous conclusion that<sup>118</sup>



these men, who have been branded here to-night by the hon. member for Dundas as "savages," were not savages by nature or disposition - were not the wanton violators of the peace they had been represented - but had been goaded to error by the grinding oppression of their task-masters; yes, sir, we found that the tyrannical regulations, the stinted pay, the insolent bearing of the contractors was the mainspring, the concealed source, of the disorders on the public works.<sup>119</sup> (Ironical cheers) These savages as they were called had been induced to leave their native country by the allurements held out to them by the government. They were to have found continual employment, and been enabled to acquire means to purchase property of their own. They expected to meet with good treatment and what treatment had they met with? - With treatment worse than African slaves, with treatment against which no human being could bear up.<sup>120</sup> The hon. Inspector General has told us that he has had experience on the Welland Canal. I am aware that he has been concerned in that Canal; history tells he has. But I would ask him did he not know during that experience instances of contractors who had been once in the very condition the labourer is now, rising into a state of great wealth by the labour, the sweat, the want and woe, of these men whom they (the contractors) are now foremost in denouncing by the worst terms our language can afford; and, sir, what is worse still, these same contractors have, since this inclement season has set in, to a great extent suspended their works because their comparative tardy advancement at this season affords not the same immense profit as before; and thus is the laborer, and his wife, and his infant, left to shiver and to beg, - left to the mercy of a fierce climate without, and fiercer passions within, - while the sleek contractor is ensconced in a snug home amidst the plenties of the land.<sup>121</sup> The Attorney General seemed to know that they took up arms when driven to it by want; yes, it was want and oppression which drove them to acts of violence.<sup>122</sup> Sir, this is something of the condition of the men who find so little sympathy in this House; - men who were invited to this country, and were assured that plenty and a home awaited their landing on our shores; - this is their hapless condition amongst us; - they have to encounter misery and temptation abroad, and from this House they hear their very nature slandered, they must bear to be denounced, one and all, as "savages."<sup>123</sup> He had not expected such language from the member who had uttered it; he had not expected it from the member for Dundas whose moderation had done him honor, and whose mild and cogent system of reasoning, had excited the admiration of all. - (Cheers and laughter.) He had thought him the last man to stigmatize a mass by such a name.<sup>124</sup>

MR. ((GEORGE)) MACDONELL said, he had applied that term not to the mass, but<sup>125</sup> only to those who were rioters, and robbers, and murderers.<sup>126</sup>

MR. DRUMMOND admitted that those men might be termed "savages," but were there none such to be found except upon the public works? Was it



not true that the image of murder was stalking about the streets of Montreal, and that it threatened the lives of the inhabitants even in the heart of the<sup>127</sup> Metropolis of Canada.<sup>128</sup> Why were no measures taken against these "savages?"<sup>129</sup> I see the hon. Attorney General smiling, - he always smiles, - he smiled when appealed to at the opening of this session to protect the citizens from organized bands of ruffians; when told upon that occasion that the lives of liberals in this city were imminently exposed he was then as now in the most blissful state of ignorance; they had heard, he said, of meetings of "Steel Caps" on garretts and "Cavaliers" in cellars, but as to whether anything unlawful was connected with these meetings, or contemplated by them, he and his colleagues were "in a state of profound ignorance." Such was the language of the hon. Attorney General then blandly uttered and accompanied by a smile, but me thinks he ought to have graver opinions now. Smiles ill become the Ministers of the Crown in this House at the present moment, when, as he knows,<sup>130</sup> the Murderer stalked about unpunished; armed men came into the galleries of that House; and the lives of men of liberal sentiments were constantly in danger. During the Election, when the Attorney General was told that the city was in danger he took no means for its preservation, he was in a blessed state of ignorance, the same sweet smile beamed upon his countenance. He knew nothing of the secret societies which were avowedly organized for the purpose of taking part in the Election, under the very eyes of the Government. - (No! No! and uproar.)<sup>131</sup>

MR. JOHNSTON said, the hon. member was out of order, it was not parliamentary to attribute such things to the Government.<sup>132</sup>

MR. DRUMMOND bowed to the decision of the chair. He believed, however, that he had not travelled aside of the question, or to make use of the Chairman's expression, travelled out of the record, when he stated that outrages had occurred in other parts of the country, and that the Government was bound to look into these as well as the others. Where it was necessary to adopt violent measures let them put down the lawless of every class, name and nation, no matter how composed. Then he would be found the first to stand up to protect the peace, and on the present occasion he would vote in favour of the resolution. He also understood the remarks of the hon. member for Quebec to apply to the Bill about to be introduced and not the resolution before the House. He wished also that Hon. members should understand that he in no way pledged himself to that measure, and if he had spoken of it upon this occasion it was because he should not be misconceived.<sup>133</sup>

MR. COLVILLE said, with regard to what had been said about assassins stalking about the streets, and the scenes of violence which had occurred here, he was not there to defend these acts. But when he remembered what had occurred in this city at the Election in April last, he was not surprised at violence anywhere. I have not to thank the

moderation nor the gentleness of that gentleman's friends the Canalists, - I have not to thank their gentleness or his eulogiums, for being in this House today. But I have to thank the hardness of my head and the swiftness of my horses (Cheers and Laughter.)<sup>134</sup> which had saved him from an attack made on himself and a friend<sup>135</sup>. After the member for Portneuf had come into Beauharnois, into a district where there were French Canadians alone resident, people who did not understand a word of English, but in the neighbourhood of a large public work - after that member had actually denounced in English to the assembled Irishmen, a gentleman who had come to see me - after that I say, he is the last person in the world who should talk about acts of violence or assassins walking about the streets. - (Cheers.)<sup>136</sup>

MR. DRUMMOND said that his character had been assailed. He asked the hon. member for Beauharnois if he had excited the people to violence against him? He believed he had been so informed, but it was false. He had on the contrary spoken in the highest terms of him, and only against his politics. He had never gone into the neighbourhood of the public works to address the canalers; he did not know a man upon the canal, unless there might be some there whom he had seen at that time the Commission was sitting to enquire into the riots. He had gone to address the Canadians and had spoken in French to them; but one or two persons who did not understand him had requested him to speak in English, and he said a few words to them. The next day he met Mr. Colville, he was sorry to see that he had a blue tocque on his head - (laughter) - and to learn that upon returning from the Church where he had been on the same errand that he (Mr. D.) was; some badly disposed person had rushed out and attacked him and his friend. No person regretted it more than he had done, and he trusted that gentleman would do him the justice to say so.<sup>137</sup>

MR. COLVILLE - I do not mean to say that you absolutely told these people to throw stones at my head<sup>138</sup>, but thought that he had a right to complain that the hon. member, who was a stranger to the county,<sup>139</sup> while addressing those men whom you had no right to do, for they were not electors, ... denounced my friend almost by name, and made use of most exciting language against him - (Hear, hear.)<sup>140</sup>

MR. ((HENRY)) SHERWOOD said, that he should not detain the House long with the remarks he had to offer. Of the two hon. gentlemen opposite who had addressed the Committee, the one admitted the necessity of some further measure to secure the peace, and expressed his willingness to aid in them (sic); while the other would give no support to the Government in putting down outrages which all admitted.<sup>141</sup>

MR. AYLWIN - Not unless that exertion is made in a constitutional manner.<sup>142</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD - When hon. gentlemen

spoke of the necessity of checking the evils which he acknowledged had existed to a most lamentable extent, they had endeavoured to keep out of the way of the fact; they had attempted artfully to keep out of view what must be manifest to all, that those disgraceful outrages which had occurred in this city, and within a few miles of it, were not committed by electors but by persons who were brought in from the line of public works. While one hon. member had reluctantly admitted the necessity of the application before the House, the other had withheld his assent, and kept out of view what he had known to be a matter of history from Montreal to Lake Erie. The hon. gentleman opposite had attempted to become the apologist of the people who had committed those riots, and attempted to throw odium upon another party, which he said was organized under the eyes of the Government.<sup>143</sup>

MR. AYLWIN. - I said no such thing.<sup>144</sup>

MR. ((HENRY)) SHERWOOD continued. - He had sat quietly and heard that gentleman through a discourse of two hours long without interrupting him, and hoped that he would receive the same treatment. He did not desire to mistake what the hon. gentleman had said but that was the impression made up in his mind by the language which he had used. He, Mr. S., was not connected with the Election of Montreal, he had not come down until long after it was over. But he had heard the opinions of men of both parties, and from all the evidence which had been given to him, he was satisfied that the whole disturbances on that occasion had originated in persons who came from a distance, and who were armed for the purpose of preventing those who had a right to vote from exercising that right. How was it that hordes of persons came into that city, persons who had no interest in the country, and no right to the elective franchise? And now the odium of these acts was attempted to be cast upon these citizens who united to prevent his intrusion. He had been convinced of this by the evidence which he had heard, and it would require much more to remove that opinion. The honourable member for Quebec had made use of no argument against the resolution before the House - throughout the long oration of which he had been delivered nothing in the shape of an argument could be found. He had, however, discovered that the appointment of Captain Wetherall, upon the Canal, was the cause of all the outrages and acts of violence which had occurred, and in the same breath had told the House, that he was a member of the Executive Council when he was appointed, and that that appointment was the cause of the first antagonism between him and his colleagues. If he had been the independent member that he affected, he would not have remained an instant in a government which had brought upon itself the stain of such horrible outrages as he says have been caused by that appointment. Did he imagine that what he said now would justify him to the people of Canada for the part he took in that appointment? Did he imagine that they would be satisfied to hear him say - "I assented to this appointment, I took the responsibility at the time, but now I have repented, and desire to throw it upon the present

administration." Why was it to be charged upon them? Had the hon. gentleman the power to advise his colleagues, and if that advice was rejected to retire from the administration? But he had chosen to submit to it, he had preferred to retain his office, he was content to remain Solicitor General when an obnoxious appointment was made. Why had he not remonstrated with his colleagues - why had he not refused to retain office if that appointment was persisted in? If he knew anything of Constitutional Government he must be aware that, every ministerial officer was responsible for the acts of his colleagues, if he sanctioned those acts by continuing in office with them. It was in vain that he now said that he did not approve of it, it was in vain that he now raised objections to that appointment, when he had acquiesced in it at the time. It was in vain that he now stood upon the assertion that he had advised against that appointment, for it had received his sanction as a Minister. And he now admitted that it was the cause of all the outrages and riots, which had occurred, and of all the blood which had been spilt. (Cheers.)<sup>145</sup>

MR. AYLWIN. - I did not say that this appointment was the cause of these outrages and blood shed, but that the inefficiency of the Magistrates was. - (Oh! Oh!)<sup>146</sup>

MR. ((HENRY)) SHERWOOD continued. - He had heard him say distinctly, that the cause was the appointment of Capt. Wetherall, of an officer in the army, a stranger in the country; he had heard him say so. But when the member for Quebec had said that, he forgot the situation he himself had held at the time of that appointment, and when he came down to attack the government for imbecility in not being able to suppress the outrages complained of without further powers, he had unwittingly made the admission that this appointment had been made by his colleagues, and it was alone the cause of all that had occurred. The Magistrates he had accused of cowardice were appointed by the Administration of which he was a member, and after the gross misconduct of which he stated they had been guilty, they were retained in office, and no new Commission was issued. It was under the Administration of which he was a member, that the troops were called out at Beauharnois, and such bloody murders were committed. It was the member for Quebec who was Crown Officer at that time, and yet no one had been indicted for those murders. And yet he had attempted to thrust all this upon the present Administration. No doubt the present Government had much to answer for, but it could not afford to take upon itself the weight of the sin of the last - it could ill afford to bear the awful responsibility of the appointment of Capt. Wetherall. The late Solicitor General for Lower Canada had told the House what he would have done if he had been a Magistrate of Montreal. He had told them how outrageously he had exclaimed "I'll follow you to the canal, show me an offender and I'll attack him and bring him in." And truly would he not have cut a splendid figure, in his silk gown, surrounded by five or six hundred Cork or Connaught men, with no Police, no Military near, nothing to



check them but his august presence, which was to be sufficient to awe them into subjection? - (Laughter.) He (Mr. S.) really wondered that the Government could ever have spared such a useful man; there was no necessity for Military or Police where he was; there was no necessity for Government to go the expense of Peace Agents upon the works; it only needed him to go up and bring down the offenders without any trouble. If the honorable gentleman estimated his powers so highly, he had better try it, and perhaps he would find himself rather mistaken. Where six thousand men were congregated who will not permit certain of their own countrymen to be upon the works with them, and the whole power of the civil law was insufficient to prevent outrages, the appearance of that hon. gentleman, particularly if in his silk gown, would no doubt inspire them with great awe. The hon. gentleman had not gone nine miles from Montreal to find these outrages; let him go up to the Welland Canal where they had taken place for the last two years; and if he ever ventured to look into a newspaper he would find that these atrocious practices, these violent proceedings, these heartless acts, were committed by men whose names were unknown, whose residences could not be ascertained, and over whom consequently the civil law had no control. Constables who had been sent to arrest these men had been shot down; and when the murderers had been tried, parties came forward and swore that they had seen them elsewhere at the time; and in fact convictions could not take place on account of a perfect system of perjury. The witnesses for the prosecution upon these trials were waylaid, and murdered, for some had been killed; and when that House saw that it was impossible with every exertion under the present law to bring the perpetrators of these outrages to justice - would it he asked, take upon itself, as the hon. member for Gaspé had said, the awful responsibility of the acts, by refusing to aid the Government by giving it the means that is asked of them? During a speech of two hours in length the hon. member for Quebec had carefully abstained from alluding to one of the outrages committed by these men as such; but he had attempted to throw odium upon the Magistracy, and to charge upon the present administration the faults of all that had been done, although he admitted that the appointment to which he said all was owing, had been made by himself and colleagues. In fact, his whole speech had been an attempt to manufacture political capital out of his own error, and to transfer the blunders of the late Ministry to other shoulders. But he would find that there were more sensible people in the country than he imagined, and he would discover that the course he had adopted would be seen through, and his arguments be turned against himself. He had said that if this Bill were passed, those who voted for it would be ashamed, five years hence, to hold up their heads. He, Mr. S., could tell that hon. gentleman that if he were spared to that time, he would refer to that as the proudest moment of his life, when a measure was perfected for the protection of the peaceable citizen from the attacks of lawless mobs; but those who raised their voices against it would be compelled to hide their heads. The member for Quebec might laugh, but on this occasion he was deserted, and stood alone, unsupported by those who usually acted with him. The hon. member

for the Fourth Riding of York would not support him upon this occasion; he knew the necessity of this measure, and he was confident that he would give his aid to it, from what he knew of the occurrences which had taken place in Upper Canada. The member for Quebec stood alone in his opposition; and ministers deserved the thanks of the people of this colony for bringing forward this measure, and they would receive them. The member for Quebec had said that the troops were the proper parties to put down these disturbances, and in the next breath said, when called upon to act, they had been guilty of most horrid murders. If such was the truth, was it not an argument in favor of the present measure, was it not a caution to the present administration that it should not employ this force if it led to such consequences. The Commander of the forces had refused to allow his troops to be made a police force of; he was willing that they should be called out upon an emergency; but if they remained long in the neighbourhood of those public works, it led to disorganisation.<sup>147</sup>

MR. BERTHELOT spoke in French in favor of the Resolution.<sup>148</sup>

MR. ((ROLLAND)) MACDONALD, (Cornwall), said that many acts of violence, committed by the workmen upon the public works, had come under his notice. He had known a store to be plundered of its contents, and a ship seized and pillaged. And on one occasion they had marched into Cornwall to the number of four hundred, armed, four deep, in military fashion, and took possession of the town, and kept it for two or three days. And when the Yeomanry Cavalry turned out, how had they been treated when they sought to recover a fair compensation from the hands of the Government? After waiting for two years for payment, instead of getting the sum which had been granted them by a regular militia order, the Government came down and allowed about two-thirds. He begged the House to mark this, as he intended yet to bring the subject before them. - What inducement was there for persons to do their duty, if they received such treatment? He approved of the course ministers were now taking, and begged to tell them they would earn the gratitude of the country for it.<sup>149</sup>

MR. MOFFATT supported the resolution, and said that if the Government was to blame in any respect it was in not coming to that house earlier. He asserted that the violence committed in Montreal had first led the inhabitants to organize to protect their lives, in order to be prepared to resist such violence if it were attempted again. In this, he contended, they were perfectly justified. There was no doubt strangers did come into the city, but not to act for him, with his knowledge. 800 cavaliers were met on the way to Montreal, and 200 sailors were reported to have been brought in against him. He regretted the drawing forth of these subjects night after night, and commented with severity on the unjustified attack made by the member for Portneuf on Mr. Colburn, after a jury of his countrymen had acquitted him. To refer to him as a "murderer stalking about the streets

unpunished," was in the worst possible taste.<sup>150</sup>

MR. DRUMMOND said, he had not alluded to any one in particular.<sup>151</sup>

MR. LAFONTAINE spoke in French in favor of the resolution.<sup>152</sup>

DR. DUNLOP ((said a few words.))<sup>153</sup>

The question was put and carried almost unanimously, MESSRS. AYLWIN and CAUCHON alone voting against it.<sup>154</sup>

(251)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Johnston reported that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.*

*Then the House adjourned.*

FOOTNOTES - 11 February 1845.

1. The debate on this matter was reported by: PILOT, 12 February 1845, and GLOBE, 18 February 1845, in identical accounts.
2. PILOT, 12 February 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. The debate on this matter was reported by: KINGSTON NEWS, 20 February 1845; PILOT, 12 February 1845, and GLOBE, 18 February 1845, in identical accounts; MONTREAL GAZETTE, 13, 15 February 1845, copied by BRITISH WHIG, 18, 21 February 1845; LE CANADIEN, 19 February 1845, whose account was edited from the MONTREAL GAZETTE, 13, 15 February 1845; LA MINERVE, 17 February 1845; and BRITISH COLONIST, 21 February 1845. A few speeches in the KINGSTON NEWS were identically reported. LE CANADIEN, 17 February 1845 noted it. Identical commentaries were contained in the PILOT, 12 February 1845, and the GLOBE, 18 February 1845. LA REVUE CANADIENNE, 15 February 1845, also contained a commentary.
12. MONTREAL GAZETTE, 13 February 1845.
13. BRITISH COLONIST, 21 February 1845.
14. MONTREAL GAZETTE, 13 February 1845.
15. BRITISH COLONIST, 21 February 1845.
16. MONTREAL GAZETTE, 13 February 1845.
17. BRITISH COLONIST, 21 February 1845.
18. MONTREAL GAZETTE, 13 February 1845.
19. BRITISH COLONIST, 21 February 1845.
20. MONTREAL GAZETTE, 13 February 1845.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. BRITISH COLONIST, 21 February 1845.
34. MONTREAL GAZETTE, 13 February 1845.
35. BRITISH COLONIST, 21 February 1845.
36. MONTREAL GAZETTE, 13 February 1845.
37. BRITISH COLONIST, 21 February 1845.



38. MONTREAL GAZETTE, 13 February 1845.
39. BRITISH COLONIST, 21 February 1845.
40. MONTREAL GAZETTE, 13 February 1845.
41. BRITISH COLONIST, 21 February 1845.
42. MONTREAL GAZETTE, 13 February 1845.
43. BRITISH COLONIST, 21 February 1845.
44. MONTREAL GAZETTE, 13 February 1845. The KINGSTON NEWS, 20 February 1845, gave as an abstract of a speech by Aylwin an outline of what the other sources report as the gist of Baldwin's speech. The KINGSTON NEWS added: "In this view Mr. Aylwin was to some extent supported by Mr. Baldwin, who, however, expressed himself anxious to give the government the powers they asked for, in order to enable them to maintain the peace."
45. MONTREAL GAZETTE, 13 February 1845.
46. BRITISH COLONIST, 21 February 1845.
47. MONTREAL GAZETTE, 13 February 1845.
48. BRITISH COLONIST, 21 February 1845.
49. MONTREAL GAZETTE, 13 February 1845.
50. BRITISH COLONIST, 21 February 1845.
51. MONTREAL GAZETTE, 13 February 1845.
52. BRITISH COLONIST, 21 February 1845.
53. IBID.
54. MONTREAL GAZETTE, 13 February 1845.
55. BRITISH COLONIST, 21 February 1845.
56. MONTREAL GAZETTE, 13 February 1845.
57. IBID.
58. PILOT, 12 February 1845.
59. MONTREAL GAZETTE, 13 February 1845.
60. IBID.
61. IBID.
62. IBID. The KINGSTON NEWS, 20 February 1845, added that throughout his speech Mr. Aylwin had been called to order by Chairman Johnston.
63. MONTREAL GAZETTE, 13 February 1845.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. IBID.
78. IBID.
79. IBID.
80. IBID.
81. IBID.

82. IBID.
83. KINGSTON NEWS, 20 February 1845.
84. IBID.
85. MONTREAL GAZETTE, 13 February 1845.
86. IBID.
87. IBID.
88. KINGSTON NEWS, 20 February 1845.
89. MONTREAL GAZETTE, 13 February 1845. The KINGSTON NEWS, 20 February 1845, reported Gowan as having addressed these remarks to Aylwin rather than Baldwin.
90. MONTREAL GAZETTE, 13 February 1845.
91. KINGSTON NEWS, 20 February 1845.
92. MONTREAL GAZETTE, 13 February 1845.
93. IBID.
94. IBID.
95. KINGSTON NEWS, 20 February 1845.
96. MONTREAL GAZETTE, 20 February 1845.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. According to KINGSTON NEWS, 20 February 1845, Aylwin spoke for about two hours.
109. MONTREAL GAZETTE, 13 February 1845.
110. IBID.
111. IBID.
112. IBID.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. IBID., 15 February 1845.
119. PILOT, 12 February 1845.
120. MONTREAL GAZETTE, 15 February 1845.
121. PILOT, 12 February 1845.
122. MONTREAL GAZETTE, 15 February 1845.
123. PILOT, 12 February 1845.
124. MONTREAL GAZETTE, 15 February 1845.
125. IBID.
126. KINGSTON NEWS, 20 February 1845.

127. IBID.
128. MONTREAL GAZETTE, 15 February 1845.
129. KINGSTON NEWS, 20 February 1845.
130. PILOT, 12 February 1845.
131. MONTREAL GAZETTE, 15 February 1845.
132. IBID.
133. IBID.
134. IBID.
135. KINGSTON NEWS, 20 February 1845.
136. MONTREAL GAZETTE, 15 February 1845.
137. IBID.
138. IBID.
139. KINGSTON NEWS, 20 February 1845.
140. MONTREAL GAZETTE, 15 February 1845.
141. IBID.
142. IBID.
143. IBID.
144. IBID.
145. IBID.
146. IBID.
147. IBID.
148. IBID.
149. IBID.
150. IBID.
151. IBID.
152. PILOT, 12 February 1845.
153. MONTREAL GAZETTE, 15 February 1845.
154. IBID. This division ended the debate at about 2 a.m., according to the PILOT, 12 February 1845.

WEDNESDAY, 12 FEBRUARY 1845.

(251)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Armstrong, the Petition of Jacques Lemlin and others, inhabitants and proprietors of steamers, and other river craft, residing in the county of Richelieu.

By Mr. Chalmers, the Petition of Isaac Buchanan, Esquire, and others.

By Mr. Greive, the Petition of Louis E. Pacaud, Esquire, Commissioner of Bankrupts for the district of Three Rivers.

By Mr. Duggan, the Petition of Love Newlove, and others, of the Second Riding of the county of York, and the Petition of William Thompson, Esquire, and others, of the Home district.

By Mr. Scott, the Petition of Thomas Proudlock, shipwright and master mariner, residing at Point Fortune, on the River Ottawa.

By Mr. Merritt, the Petition of John Healey, of the city of Toronto, messenger to the House of Assembly.

By Mr. Price, the Petition of William Peacock, of the city of Buffalo, in the state of New York, one of the United States of America, formerly of the township of Etobicoke, in the Home district.

Tax on Dogs.

An engrossed Bill, to empower the district Councils in Upper Canada, to impose a Tax on dogs, and to regulate Temperance houses within their respective districts, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to empower the district Councils of municipal districts, and boards of police of incorporated towns, in Upper Canada, to impose a Tax on dogs within their respective districts and towns."

Ordered, That Mr. Cummings do carry the said Bill to the Legislative Council, and desire their concurrence.

(252)

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of William Reynolds and others, of that part of the township of Woolwich, in the district of Wellington, commonly called the Pilkington Block; and of D. Henderson and others, of the township of Nichol, praying that the Pilkington Block, in the township of Woolwich, may be united to the



township of Nichol.

Of A. D. Fordyce and others, of the township of Nichol, in the district of Wellington, praying that the annexation of a certain part of the township of Woolwich to the township of Nichol, as petitioned for, may not be granted.

Of William C. Boyd and others, of the township of St. Vincent and other places, praying that the townships of St. Vincent, Collingwood, Euphrasia, and Proton, may be erected into a separate district.

Of Charles Colquhoun and others, of St. Thomas and vicinity, in the district of London, praying that the Clergy Reserve Lands may continue to be sold and granted by the Crown in the usual manner.

Of the Reverend F. P. Porlier and others, Commissioners of Schools for the parish of Terrebonne, praying for a grant of money to aid them in completing a School House, which they have commenced.

Of Edward Mallock, Esquire, praying for the confirmation of his title to certain lots in the town of Bytown, formerly owned by the Honourable, the Board of Ordnance.

Of J. Brazeau and others, residing in the province and engaged and concerned in the Timber trade of Canada, praying that they may be allowed sufficient time to bring their present stock of lumber to market, and to fulfil certain contracts before any additional duty upon the said articles take effect.

Of James Coin and others, of the second concession of the township of Winchester, in the county of Dundas, praying that no alteration may be made in the present established boundary between the second and third concessions of the said township.

Of Archibald Mason, of the town of Cornwall, in the Eastern district, Mason, praying for the payment of a certain amount due for work done by him on the St. Lawrence canal.

Of the Reverend William Jones and others, members of the United Church of England and Ireland, in the township of Eaton (relating to Clergy Reserves); and of the Reverend William King and others, members of the Church of England in the township of Bury, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, a share of the Clergy Reserves, corresponding with their proportion of the income arising from the same.

Of Caleb Truax, of Cornwall, on behalf of himself and Andrew Key, praying to be paid for work performed by them on the St. Lawrence canal according to the measurement of the said work, when it was taken out of

their hands.

Of the Reverend Richard Lonsdell and others, of the township of Tingwick and parts adjacent, in the district of St. Francis, praying that no action may be taken in regard to the charter of King's College, or McGill College, which shall not comprehend all other chartered Institutions of learning in the Province.

Of the Montreal Board of Trade, praying that any measure having for its object the construction of a Railroad from Montreal, through the Eastern townships, ultimately to communicate with the Atlantic, may be favourably considered.

Of the Reverend A. O. Giroux, Curé of L'Isle Perrot, praying for a grant in aid of a School House, erected at his own expense.

Petitions  
referred.

Rev. Richard  
Lonsdell and  
others.

Ordered, That the Petition of the Reverend Richard Lonsdell and others, of the township of Tingwick, and parts adjacent, in the district of St. Francis, be referred to the Select Committee, to which was referred the Petition of the Honourable Vallières de St. Réal, Chief Justice of Montreal.

Montreal  
College of  
Medicine.

Mr. Scott, from the Select Committee to which was referred the Bill to incorporate the Montreal College of Medicine and Surgery, reported, that the Committee had gone through the said Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, tomorrow.

On motion of Mr. Lantier, seconded by Mr. Méthot,

Board of  
Education.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to cause the proper officer to lay before this House, a copy of the last Annual Report of the Superintendent of the Board of Education, on the general state of education.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Thompson, seconded by Mr. Powell,

War Losses.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a statement setting forth, in detail, the amount of War losses awarded to individuals, or persons, in Upper Canada, and remaining unpaid; together with the causes why such claims have not been paid; the names of Indians entitled to such remuneration; whether it has been paid to them; and if so, by whom, and when; and also, a detailed statement of the kind of evidence of such payments.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of Mr. Gowan, seconded by Mr. Armstrong,

Resolved, That this House doth concur in the Third Report of the Standing Committee on Printing and Binding.

On motion of Mr. Johnston, seconded by Mr. Chalmers,

Plurality of Offices.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to cause the proper officer to lay before this House, a Return of all persons holding a plurality of offices in Upper Canada.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the

(253)

Executive Council of this Province.

Montreal Board of Trade.

Ordered, That two hundred and fifty copies of the Petition of the Montreal Board of Trade, in favour of the projected Railroad from the river St. Lawrence to the Atlantic, be printed in each of the English and French languages, for the use of the Members of this House.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Duggan,

Private Bills.

Ordered, That that part of the Ninth Report of the Standing Committee on Private Bills, which relates to the Bill to authorize the Community of Religious Ladies, called Les Soeurs de la Congrégation Notre Dame de Montréal, to acquire and hold additional real or personal property to a certain amount, be committed to Committee of the whole House to-morrow.

Les Soeurs de Notre Dame.

*A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--*

MR. SPEAKER,

Le Petit Séminaire de Ste. Thérèse.

*The Legislative Council have passed the Bill, intituled, An Act to incorporate Le Petit Séminaire de Ste. Thérèse de Blainville, in the District of Montreal, without any amendment.*

And also,

*The Legislative Council have passed the following Bills with several amendments, to which they desire the concurrence of the Assembly:--*

Attachment of Salaries.

*An Act to authorize to a certain extent, the seizure and attachment of official Salaries, towards payment of the Incumbent's debts.*

Administration of Justice, Gaspé.

*An Act supplementary to an Act of the last Session of the Legislature, relating to the administration of Justice in the Gaspé District, and to extend the provision of the said Act.*

And then he withdrew.

Outrages on Public Works.

*Mr. Johnston, from the Committee of the whole House to take into consideration the propriety of providing for the better preservation of the peace, and the prevention of riots and violent outrages at and near public works, while in progress of construction, and of granting a sum of money for the purpose of carrying into effect the same, reported according to Order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--*

*Resolved, That it is expedient to provide for the better preservation of the peace and the prevention of riots and violent outrages at and near Public Works, while in progress of construction, and to grant a sum of money towards carrying into effect the above purpose.*

*Ordered, That the Honourable Mr. Attorney General Smith, have leave to bring in a Bill for the better preservation of the peace, and the prevention of riots and violent outrages at and near public works, while in the progress of construction.<sup>1</sup>*

*He accordingly presented the said Bill to the House,*

*The Attorney General (East) ((MR. J. SMITH)) introduced the Bill, and*



stated that it was for the purpose of granting a sum of £10,000 annually for two years, for the purpose of raising a police force, to serve on the line of the public works.<sup>2</sup>

MR. MERRITT opposed the bill, and in doing so, pointed out to the house that the Americans, although they had immense works constantly going forward, yet had never found it necessary to organize any force for the purpose of preserving peace upon them. He also mentioned the inefficiency of the police force which had been rize at Niagara.<sup>3</sup>

DR. DUNLOP, in replying, remarked that it was no wonder the police force at Niagara had not been found very efficient, for he could easily imagine the case of a police force being riz one day and riz the next - that is, in case there was a cold wind blowing; for he was sure there was not enough courage among the magistrates of that place to infuse any warmth into the breasts of their police officers.<sup>4</sup>

The Attorney General ((MR. J. SMITH)) (East) said that the hon. gentleman who had spoken of the Americans, was quite right in saying that they had no police force of this kind; but the house would recollect that our respectable neighbours had a remedy in these cases, peculiar to themselves: they take the law into their own hands, and right themselves; and he said boldly, if, in this country a sufficient police force could not be obtained, Government, when it made this proposition, were met with a cold refusal, that the people here must follow the example of the Americans, and put down these atrocities with their own hands. He hoped that hon. members would not be intimidated by the amount required. What was £10,000, even if it were to be spent for the two years proposed? What was £20,000, when put against the consequences which may ensue if the people of the province are left to resort to their own strong arms for a remedy? These men were only here for a short time; as soon as the present works were finished, they would go to the United States, and, no doubt, obtain there the means of a livelihood; therefore, nothing could arise from this bill which would be injurious to the rights of citizens of the country.<sup>5</sup>

The House then divided, and the nays were found to consist of Mr. Cauchon.<sup>6</sup>

(253)

*and the same was received and read for the first time, and ordered to be read a second time, on to-morrow; and that it be then the first Order of the Day.*

District Courts  
Upper Canada.

*The Order of the Day for the House in Committee on the Bill to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of District Courts, in the several districts of that part of this Province formerly Upper Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Macdonald, of Glengarry, took the chair of the Committee.*

The District court bill ... was passed through with a few amendments, which merely consisted of the filling up of the blanks left in the bill for providing compensation to be given to officers discharged under its operation. The report was ordered to be received to-morrow, MR. ((GEORGE)) MACDONELL (Dundas) proposing to offer some opposition on that day.<sup>7</sup>

(253)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Macdonald, of Glengarry, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Right of  
voting at  
Elections.*

*The Order of the Day for the second reading of the Bill to provide for the regulation of persons entitled to vote at elections of Members of the Legislative Assembly in Upper Canada, being read,*

*The Honourable Mr. Solicitor General Sherwood moved, seconded by the Honourable Mr. Robinson, that the said Bill be now read a second time.<sup>8</sup>*

The learned mover ((MR. SHERWOOD)) spoke ... upon the advantages of the principle of registration and referred to its workings in England as his grand proof. He said he did not desire to press the bill through now, but wished it to go into committee when its details would be considered, and then it might lay over till the next session or the session after if it were thought proper. He was only anxious at present to have the principle of the bill sanctioned.<sup>9</sup>

MR. BALDWIN was opposed to the bill altogether. He thought it a right principle in Legislation to consult the condition of the country for which it was intended. Viewing the present condition of this country he thought that the cumbrous machinery of registration would be most inapplicable. He thought that all the trouble, difficulty and expence of the present mode of election which, in all conscience was enough would be quadrupled by the registration system. By the provisions of the bill any one man in a district might bring the whole body of his brother electors into a registration court to defend their right to vote.<sup>10</sup> That was a great objection.<sup>11</sup> In fact the difficulties of our elections would be vastly increased and would operate altogether against the poorer classes who would be harassed by the forms and expence of registration and

by the contests against them, which would certainly be raised in the registration courts by designing individuals. The hon. gentleman contended at much further length that the Solicitor General had not made out a case to warrant the addition to the present election law which his bill proposed, and that it was time enough to make such addition when the present was proved a failure without it.<sup>12</sup> It had been said, that he had, in some measure, given his assent to the principle of registration in the year 1841. Now he wished to explain that, the fact was, that in 1841 it was endeavored to engraft the principle of registration upon his election law, and he (Mr. Baldwin) had then made a sort of compromise, he had agreed, if the majority would allow his bill to pass, to consent to a temporary registration law, by way of giving the principle a fair trial; he had thought, at the time, that he was making the best bargain he could for the country; for he believed that without that arrangement, the bill could not have been passed. He was somewhat surprised, that this bill was limited in its operation to Upper Canada, because<sup>13</sup> one of the objections to Mr. LaFontaine's<sup>14</sup> election bill<sup>15</sup> by the Solicitor General's party was that it was only for Lower Canada and he (Mr. Baldwin) well remembered with what zeal and plausibility that objection was urged. But where now was it? Why is the exclusive principle now introduced? He thought this consistency would be appreciated by the country. He (Mr. Baldwin) would next ask was this a government measure or was it not. He felt an interest in asking this question because he recollected that in '41 the President of the present Council, Mr. Viger, was one of the most strenuous opponents of the principle of registration. He was sorry that that venerable gentleman was not now in a position to explain what were his views of this bill: -- he was not in this House nor in the other; he had a seat nowhere, and therefore this House could not have the benefit of knowing whether the bill grew out of a change, or an antagonism<sup>16</sup> in the Cabinet<sup>17</sup>. He (Mr. Baldwin) must at all events presume that it has the sanction of the government, and, also, that that sanction was the result of some new light. But be this as it might he had received no new light on the subject.<sup>18</sup> He believed the ... system was found to be very cumbrous and expensive even in England, and<sup>19</sup> was not suited to this country and could only be productive of endless trouble, vexation and expense. He would, therefore, move ((an amendment.))<sup>20</sup>

(253)

*The Honourable Mr. Baldwin moved, in amendment, seconded by Mr. Price, that the word "now," in the said motion, be struck out, and the words "this day six months" substituted,*

MR. GOWAN said that the first objection of the hon. member opposite, was the expense and trouble, to which one voter would be enabled to put his fellow voters, to which he (Mr. Gowan) would reply, that putting out of sight the improbability of any person being inclined to put his neighbours to so much inconvenience, it would be a great security against the proceedings of a person of a litigious disposition, that in case he failed



in his opposition, he would have the expenses to bear himself, instead of the weight of them being thrown upon his opponents. He would remind the hon. gentleman of the opinion of one of his (Mr. Baldwin's) best friends, Mr. Blake, Law Professor, at Toronto, who, upon the occasion of his losing his election for the Second Riding of York, had attributed the result to the want of a registration clause in the election law. Then again, the machinery of the bill was not so cumbrous as the hon. member seemed to suppose. The method proposed was for the expressor, when he took the expressment, to enquire of each person whether he is a freeholder, and if he be so to register him and his qualification. The hon. gentleman proceeded to point out the increased necessity of registration under the new election law, because the election return was not made now by the Sheriff, as it used to be; but by a number of deputy Returning Officers, who were frequently very ignorant, and quite incapable of deciding on questions of the qualifications of voters. The hon. member was quite mistaken in supposing that the registration system is unpopular in England, instead of that, it was a favourite with all classes of the community.<sup>21</sup> The bill...would render the present law, for which the greatest credit was due to the hon. member for the Fourth Riding of York, as perfect as possible.<sup>22</sup>

The Solicitor General ((MR. H. SHERWOOD)) (West) said, that the hon. member who had moved the amendment, was in general exceedingly fond of adopting the practices of England, but on this occasion he had dismissed the practice there with one short remark -- he had merely said it was too cumbrous to be employed here. Now the fact was, that through all the changes which had taken place in popular opinion since this law had been passed, there had never been any other opinion but a favourable one entertained of it, and the reason was very evident; for in the city of London, where there were probably 35,000 or 36,000 voters, the whole of them were polled in one day. Then again it had been objected, that a party could not vote, if he had purchased his qualification between the month of March and the day of the election. But what was the fact at present? Could any man vote in respect of property of which he had not had, either the deeds in his possession for twelve months, or had not registered it for three months? And he therefore asked what was the hardship of the present proposition? Even under the present law several oaths might be administered to voters, and he could not see why they should not be obliged to prove their rights before the election came on, as well as at the election. However, he was not so wedded to the bill as to wish to force it through this session, he only desired to get the opinion of a select committee upon it, and he would then be satisfied to let the bill stand over for two or three sessions if it were required.<sup>23</sup>

MR. ((ROLLAND)) MACDONALD (Cornwall) supported the bill, chiefly because it would have the effect of preventing perjury; for the same men who would commit perjury when excited by an election struggle, would be the last to do so when coolly making oath in a Division Court.<sup>24</sup>



MR. ((G.)) MACDONELL (Dundas) regarded the present as an open question, and therefore did he feel no reluctance in opposing the gentleman (sic) of the Treasury Benches with regard to it. But even if the bill was a government measure he would oppose it. He believed it was unnecessary, and he regarded a great deal that had been said in its favour as "empty assertion."<sup>25</sup>

MR. ((J. S.)) MACDONALD (of Glengary) would vote for the amendment. He regarded the bill as entirely uncalled for. The election law passed in the last session was quite satisfactory to the country. It was received everywhere as a boon, and such an addition to it as this bill proposed would have the most irritating and unjust effect. In many parts where the population was much scattered, a great many old settlers, the pioneers of the country, would be obliged if registration were established to travel great distances to a court, or if they did not, they were liable to be told at the poll that the vote which they had exercised for 50 years was not valid.<sup>26</sup>

MR. JOHNSTON characterised the bill as arbitray (sic) and tyrannical, and he would vote against it.<sup>27</sup>

MR. DUGGAN said that for some time the question of registration had been before the public by means of the press, and that portion of the press with which he was more immediately connected was altogether favorable to the principle. He thought amendment was necessary to the present law. All the votes could not now be polled, and he thought that registration would be the safest remedy.<sup>28</sup> He referred to the Montreal election, and said, that all the evils which had been complained of there would have been avoided by the registration law. His own election also afforded another illustration of the same thing. At one of the polling booths he beat his adversary entirely through the ingenuity of one of his friends; the circumstance was this: towards the evening of the day an immense crowd of his voters came to the poll, but he could not get them up to vote, because his opponents were putting all the oaths to each voter, and he leared (sic) he would not be able to get them polled, when one of his friends wrote a note to Mr. Blake, the rival candidate, to inform him that there were a great number of his (Mr. Blake's) voters behind, and that it would be advisable to poll the votes as fast as he could in order to get his own people up. The ruse took, Mr. Blake polled as fast as he could, and when he had got to the end of his (Mr. Duggan's) voters, he was very much surprised to find the election over, and himself defeated. (This little story ... was followed by repeated shouts of laughter).<sup>29</sup> ((Registration)) would prevent a great deal of the crime now committed at elections, and especially perjury, and would also obviate the necessity of the dishonourable tricks which are now resorted to.<sup>30</sup>

MR. PRICE thought the greatest attention should be bestowed upon the subject now before the House. He deprecated hasty legislation as most

dangerous, and was fearful that many members now in the House were not viewing the question upon which they were called to decide as seriously as they ought. He would vote for the amendment because he thought the law of election needed no such provision as the bill would attach to it. The only defect complained of in the present law was want of time to poll all the votes; that defect ought to be removed, but he denied that it existed to the extent which had been represented. In his (Mr. Price's) county the time allowed by law was quite sufficient, and so it would be, he was persuaded, in other places if candidates and their friends were to act honorably and not resort to those means of delay which were so common. But he thought that the increase of polling places would be the better means of securing the right of voting to all who approached the polls. He (Mr. Price) had heard the working of registration in England referred to as a reason why it should be introduced into Canada. He denied that the relative conditions of the two countries warranted such an assumption. In England the registration of votes was effected by the constant attention of the leading political men of both parties, who made that business their study and whose wealth enabled them to pay all the expences. It was then the wealthy public men in England who worked the registration and who spent tens of thousands of pounds in doing so. And he (Mr. Price) would ask could public men in this country afford to devote such attention to registration Courts; he contended they could not, and therefore would registration be too limited in the Country to admit of anything like a fair exercise of the franchise.<sup>31</sup>

MR. BOULTON had opposed some bills on election matters, because they meant to change the qualification of voters, but the present one was only intended to carry out in a better manner the existing law.<sup>32</sup>

COL. PRINCE was afraid that there was a disposition on his side of the House to give the other a Roland for their Oliver, and that some gentlemen were desirous of throwing out the bill, because the bill of his hon. friend, the member for Terrebonne had been thrown out. He however hoped there would be too much highmindedness among them to permit them to do so, unless their convictions told them that the bill was not a good one. The hon. gentleman said, that the law of registration was very popular in England, and would be found to be very inexpensive.<sup>33</sup>

MR. ROBINSON said the law worked much better than he ever thought it would. And as to what Mr. Macdonald of Glengarry said that there were men in his County who had never voted, and he did not see what right the House had to enforce a registration of votes as an act of oppression, he replied that this would not force any person to vote who did not wish to do so, and in England the people thought that the House had a perfect right to enforce the registration. The Sol. General had but one object in view, that to make the law as perfect as possible, and he hoped a large majority would be found to vote against the amendment.<sup>34</sup>

MR. ERMATINGER would vote for the bill to go into a Committee, were (sic)

it should be thoroughly considered, and then allow it to lie over till next session.<sup>35</sup>

((MR. MERRITT)) spoke briefly in favour of the bill.<sup>36</sup>

MR. ROBLIN. - Almost all the gentlemen who had spoken seemed to go further than the amendment, as they were willing it should lie over for twelve months.<sup>37</sup> The theory of registration was very beautiful, but in practice it would not be found so attractive. Hon. members had referred to the good working of registration for Municipal purposes, but these hon. gentlemen should also remember that in the cases to which they had alluded nearly universal suffrage prevailed. He would oppose the bill. He thought it unnecessary -- the time and expence which would be required to go before Judges would be excessively injurious to the poor and scattered people of the country.<sup>38</sup>

MR. WILLIAMS said under the present system people flock to the poll under great excitement, and swear to that which they are afterwards ashamed of. He could see that the details of the bill could be vastly amended, but he would vote in favor of its principle, the excellent moral effect of which must be obvious.<sup>39</sup>

(253)

*The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:--*

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Fauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Franchère, Jobin, LaFontaine, Lantier, Laurin, Laterrière, LeMoine, Leslie, Macdonald of GLEN-GARRY, Méthot, Morin, Nelson, Powell, Price, Roblin, Scott, Small, Smith of WENTWORTH, Taché, Taschereau, and Thompson.---(33.)

NAYS.

Boulton, Brooks, Chalmers, Colville, Daly, DeBleury, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Guillet, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Meyers, Moffatt, Petrie, Prince, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams.---(38.)

*So it passed in the negative.*

*The question being then put on the main motion, the House again divided thereon, and the names being called for, they were taken down as followeth:--*



## YEAS.

Boulton, Brooks, Chalmers, Colville, Daly, DeBleury, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Guillet, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Meyers, Moffatt, Petrie, Prince, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams.--(38.)

## NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desaunier, DeWitt, Drummond, Franchère, Jobin, LaFontaine, Lantier, Laurin, Laterrière, LeMoine, Leslie, Macdonald of GLEN-GARRY, Méthot, Morin, Nelson, Powell, Price, Rohlin, Scott, Small, Smith of WENTWORTH, Taché, Taschereau, and Thompson.--(33.)

So it was carried in the affirmative, and the said Bill was accordingly read a second time.

(254)

Right of voting  
at Elections.

The Honourable Mr. Solicitor General Sherwood moved, seconded by the Honourable Mr. Robinson, that the said Bill be referred to a Select Committee, composed of the Honourable Mr. Solicitor General Sherwood, Mr. Prince, Mr. Merritt, Mr. Macdonald, of Cornwall, Mr. Gowan, Mr. Rousseau, and Mr. Macdonell, of Dundas, to report thereon with all convenient speed; with power to send for persons, papers, and records; and that it be an instruction to the said Committee to inquire and report whether, in their opinion, the principle of the said Bill shall apply to the late Province of Upper Canada generally, or to the cities and towns alone.<sup>40</sup>

Mr. Macdonell, of Dundas, moved, in amendment, seconded by Mr. Macdonald, of Glengarry,

That all the words after the words, "said Committee," in the said motion, be struck out, and the following substituted, "to leave out that part of the said Bill which relates to counties."

((MR. G. MACDONELL)) did so because he was well aware that the people of Upper Canada were averse to the registration of votes in the counties.<sup>41</sup>

MR. BALDWIN would vote in favour of the amendment, he was opposed to the bill altogether, but at all events, it should be applied at first to cities and towns alone, and then if it grew on the public estimation, he would be happy to alter his opinion, and the Solicitor-General would have the whole credit of the bill. At present, however, he conceived that it



would be injurious in its effects.<sup>42</sup>

The Solicitor-General ((MR. H. SHERWOOD)) opposed the motion, as it would be inconsistent to give this instruction to the committee, which would leave it nothing to do. He begged that hon. gentleman to withdraw his amendment, as he was on the committee, and could then urge his views.<sup>43</sup>

(254)

*The question having been put on the motion of amendment, it passed unanimously in the negative.*

MR. MOFFATT then expressed himself highly favourable to the principle of registration, and desired the inquiry to be extended to Lower Canada.<sup>44</sup>

MR. HALE was opposed to the motion and the amendment; for although he and his friends near him formed a very small part of the Lower Canada population, yet there were seven members from the Eastern Townships unanimously in favour of this bill being applied to Lower Canada; and if the committee were given instructions to report on the bill, without any restriction as to its application, he would be perfectly satisfied.<sup>45</sup>

DR. DUNLOP said that the people of the Eastern Townships were the exception, not the general rule; and that as the Lower Canada members had allowed hon. gentlemen from Upper Canada to regulate their own affairs, he thought the same freedom should be returned on all occasions.<sup>46</sup>

"Except on the Huron Bill."<sup>47</sup>

((DR. DUNLOP continued:)) Well, what about the Huron Bill? It passed this House with a large majority; but apparently it would be thrown out by some old grannies in another part of the Building.<sup>48</sup>

The Speaker ((SIR ALLAN MACNAB)). - The hon gentleman was out of order, as it would appear by a rule of the House in referring to any thing that took place in another House.<sup>49</sup>

DR. DUNLOP begged pardon for the allusion, and if necessary would go to the bar to receive the Speaker's rebuke.<sup>50</sup>

(254)

*Mr. Hale then moved, in amendment to the main motion, seconded by Mr. Stewart, of Prescott,*

*That all the words in the said motion be struck out after the word "records."*

*Mr. Macdonald, of Glengarry, moved, in amendment to Mr. Hale's motion of amendment, seconded by the Honourable Mr. Baldwin,*

*That the following words be added to the said motion, "and that it be an instruction to the said Committee to amend the said Bill, so as to make it applicable to cities and towns alone."*

MR. SHERWOOD objected to this amendment as merely raising a question decided already by the rejection of that of Mr. Macdonell, of Dundas<sup>51</sup>.

The Speaker ((SIR ALLAN MACNAB)) decided it was in order.<sup>52</sup>

(254)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Franchère, Guillet, Jobin, LaFontaine, Lantier, Laurin, Laterrière, LeMoine, Leslie, Macdonald of GLEN-GARRY, Macdonell of DUNDAS, Méthot, Morin, Nelson, Powell, Price, Rousseau, Scott, Small, Smith of WENTWORTH, Taché, and Thompson.--(33.)

NAYS.

Boulton, Brooks, Chalmers, Colville, Daly, DeBleury, Dickson, Dunlop, Ermatinger, Gowan, Greive, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Petrie, Prince, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams.--(32.)

*So it was carried in the affirmative.*

*The question being then put on Mr. Hale's motion of amendment, as amended, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Franchère, Guillet, Jobin, LaFontaine, Lantier, Laurin, Laterrière, LeMoine, Leslie, Macdonald of GLEN-GARRY, Macdonell of DUNDAS, Méthot, Morin, Nelson, Powell, Price, Roblin, Rousseau, Scott, Small, Smith of WENTWORTH, Taché, and Thompson.--(34.)

NAYS.

Boulton, Brooks, Chalmers, Colville, Daly, DeBleury, Dickson, Duggan, Dunlop, Ermatinger, Gowan, Greive, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Merritt, Meyers, Moffatt, Petrie, Prince, Robinson, Seymour, Sherwood of BROCKVILLE,

Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams.--(34.)

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--

## YEAS.

Aylwin, Boulton, Brooks, Chalmers, Colville, Daly, DeBligny, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowen, Greive, Grillet, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Merritt, Meyers, Moffatt, Petrie, Prince, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams.--(38.)

## NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Franckère, John, Lafontaine, Lantier, Laurin, Laterrière, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Méthot, Morin, Nelson, Powell, Price, Roblin, Scott, Small, Smith of WENTWORTH, Taché, and Thompson.--(32.)

So it was carried in the affirmative, and

Resolved, That the said Bill be referred to a Select Committee, composed of the Honourable Mr. Solicitor General Sherwood, Mr. Prince, Mr. Merritt, Mr. Macdonald, of Cornwall, Mr. Gowen, Mr. Rousseau, and Mr. Macdonell, of Dundas, to report thereon, with all convenient speed; with power to send for persons, papers, and records; and that it be and instruction to the said Committee to enquire and report, whether, in their opinion, the principle of the said Bill shall apply to the late Province of Upper Canada generally, or to cities and towns alone.

British Plantation Vessels.

The Order of the Day for the second reading of the Bill, to secure the right of property in British plantation vessels navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

The said Bill was accordingly read, and committed to a Committee of



the whole House on to-morrow.

Small Debts,  
Upper Canada.

The Order of the Day for the second reading of the Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the laws now in force in that part of this Province, formerly Upper Canada, for the recovery of small debts, and to make other provision therefor," being read,

The said Bill was accordingly read, and referred to a Select Committee, composed of the Honourable Mr. Solicitor General Sherwood, Mr. Macdonald, of Kingston, Mr. Cummings, Mr. Roblin, Mr. Price, Mr. Ermatinger, and Mr. Smith, of Frontenac, to report thereon, with all convenient speed; with power to send for persons, papers and records.

(255)

Toronto  
Incorporation.

The Order of the Day for the House in Committee on the Bill to amend the Act of Incorporation for the city of Toronto, by providing for the establishment of a Court of Record therein, to be called, the Recorder's Court, in lieu of the Mayor's Court, now established therein; by providing that the Recorder shall preside over the Division Court for the recovery of small debts within the said city and liberties; and by vesting in the Mayor, Aldermen, and Commonalty, of the said city, the power of laying out and opening new streets, within the limits of the said city and liberties; and of regulating the mode of building therein; and defining the limits of the said city and liberties; and making a better and more convenient division of the said city into wards; and for other purposes connected therewith," being read,

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

Management  
of Customs.

The Order of the Day for the House in Committee on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, being read,

The House accordingly resolved itself into the said Committee.

Mr. Seymour took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. Seymour reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.



Ordered, That the Report be received to-morrow.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

C. T. METCALFE.

Boundary Line. The Governor General communicates to the Legislative Assembly, the accompanying Reports, relating to the boundary between the Province of Canada and New Brunswick.

The Governor General informs the Legislative Assembly, in reference to the Address of the 22nd ultimo, that as the subject is still under discussion, between the Governor General and the Lieutenant Governor of New Brunswick, he considers it advisable to defer for the present, the communication of the correspondence.

GOVERNMENT HOUSE,  
Montreal, 10th February, 1845.

(For the Documents accompanying the said Message, see Appendix B.)

Duties on Customs. The Order of the Day for the House in Committee to consider the expediency of repealing certain Acts, granting duties on Customs, and enacting others in lieu thereof, being read,

The House accordingly resolved itself into the said Committee.

Mr. Colville took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Colville reported that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Quebec Fire-wood Society. The Order of the Day for the second reading of the Bill to incorporate the Quebec Charitable Fire-wood Society, being read,

*The said Bill was accordingly read, and ordered to be engrossed.*

Seigniorial  
Tenure.

*The Order of the Day for the second reading of the Bill, the better to facilitate commutation of the Tenure en roture, in the seigniories and fiefs in Lower Canada, into that of free and common soccage, being read,*<sup>54</sup>

M. AYLWIN est en faveur de la mesure, et ne pense pas qu'il soit prudent de porter les censitaires à espérer aucun changement dans le taux des rentes ou dans la tenure, excepté de la manière pourvu par le bill.<sup>55</sup>

M. LATERRIERE est opposé à un changement, et croit la tenure seigneuriale plus avantageuse au peuple que la tenure en franc et commun soccage (sic). Mais il paraît désapprouver le taux exorbitant des rentes et veut les tenir au taux primitif.<sup>56</sup>

M. MOFFATT est en faveur du principe du bill.<sup>57</sup>

M. CHAUVEAU croit qu'il vaut mieux s'en rapporter à l'action des tribunaux que de législater (sic) sur le sujet.<sup>58</sup>

MR. ARMSTRONG -- I have before said that I hope that the three Bills brought in by the Honourable member for Gaspé would be taken up and form one and that the members of the Government would take up that great that paramount measure themselves, if not this session they would do so the next. -- The Honorable member for the city of Quebec talked of agrarian outrages and he also talked of a Rebellion in France, there was no occasion to travel so far away, a small Rebellion was got up in this province; the peaceable and quiet population ((of)) Lower...Canada was manned to arms, partly on account of the grinding tyranny of the Seigneurs. Yes, sir, I can draw the attention of honourable members to this fact. I have a farm, the first concession of which bears a rent of 6s. 3d., and in the course of one hundred years it has augmented to £3 10s; and, sir, when the edicts and ordinances plainly tell me that the Seigneur has no right to augment his rent, nor change the servitudes and conditions, upon which he got the grant, -- am I not right in stating, that the Seigneurs are a band of tyrants? Yes, sir, it is direct taxation, and we all know that taxation without representation is tyranny. Honourable members who have lived all their days in cities, and who know nothing of the hardships, except by the courts of law, know nothing of the practical working of the system. I am mistaken, there are some exceptions, for I think the honourable member for Terrebonne does know something of the tyranny which the Censitaire is subject to. -- Yes, sir, I know that his address to the electors of Terrebonne, in 1840, was the result of conviction; and I believe he has seen enough since that time to convince me that he cannot have altered his opinion. I would be sorry to see him desert the ranks of those. He openly avowed himself, a few evenings ago, as belonging to les Ranturier. I can very well conceive why the honourable member for Saguenay (Later((r))iere) should pronounce himself so indignantly at the

attempt made to change the tenure, when contentment pervades in his locality. But the honourable member should reflect, that he is an exception and not the rule. He, sir, is sent to this House by his Censitaires, who are, at the same time, for the most part, his electors. He has followed the golden rule of "Rendering to Caesar what belongs to Caesar." He, sir, has not altered the rents, conditions, or servitudes upon which the crown of France granted his ancestors the Seignury, of which he is so worthy a representative; and these remarks apply, as I have before observed, to most of the Seigneurs about and below Quebec. But, sir, this is the very reason why he should be anxious to punish those who have transgressed the law. I have no great wish for my part to see the Seignorial Tenure swept away. What I want is a correction of abuses. Some retribution for the past and a guarantee for the future; -- why Sir in my county I have been for one year a witness to the most profligate, and disgusting manoeuvrings (sic) of an individual who is clothed with letters patent to render justice between the Seigneur and censitaire -- he Sir kept a whole population during the most valuable season running from this Notary and that Notary to look for deeds and what for? Why sir to exhibit their titles! every one of which the Seigneur had in his possession, but sir, this pretended arbitrator pocketed three aye and sometimes ten dollars from every censitaire in order to fulfill the obligation of his contract to exhibit his titles at the will of the Seigneur. The hon. member from the city of Quebec speaks of lods et ventes alone and why because this weighs on the cities he does find there is some hardship in that; but he says nothing of what in addition to that evil the thousand others of the rural population experience daily from their task-masters. Sir, if the members of this House will not do something for the censitaires of Lower Canada they will hear it outside of these walls. Yes sir I say that this question ought to be taken up by the Government, lest the people should some of these days follow the example of their neighbours in the other side of the line 45 -- take the law on their own hands. The measure before us will be of no use to the people. The hon. member for Montreal may find some benefit by it. We might commute on profitable terms, but it cannot be a beneficial measure to the mass of the censitaires of Lower Canada. They want to know what the Seigneur is entitled to, and they want to know it from their Representatives, and not through courts of law the Judges of which for the most part are Seigneurs themselves. I do call upon my hon. friend from Saguenay and others who have acted a straight forward and honest course to reflect well upon the consequences of allowing others to pervert what I conceive to have been given them in trust, and to be dealt with accordingly. At this late hour of the evening Mr. Speaker I will not longer trouble this House with remarks, I might indeed go thoroughly into the question for I have made it a study; but in conclusion I do hope if the members on the other side of the House can make up their minds to vote on this question, a question which regards Lower Canada alone, that they will at...least take the trouble of reading the Report of the commissioners on the Seignorial Tenure which by the bye is very far from portraying all the evils which the Censitaire is subject

to, but nevertheless they will learn enough to know that if the system is not bad in principle, at least it has worked out Tyranny to the people under the peculiar circumstances in which it has been in operation in this country. As I before said I care nothing about the present Bill because it is neither one thing nor another and so far as the Rural population is concerned it will prove of no benefit whatever. We want justice first, we want to establish the right of the Seigneur & the Censitaires as to the amount of the Rents & other burdens & then we may or may not deem it expedient to Commute.<sup>59</sup>

(255)

Ordered, That the said Bill be read a second time to-morrow.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then the House adjourned.



APPENDIX, 12 FEBRUARY 1845.

((DR. DUNLOP'S APOLOGY TO LEGISLATIVE COUNCILLORS.))

DR. DUNLOP regretted that what he said as a joke to-night was taken seriously by some hon members of the other House; he declared that there was nothing further from his thoughts than to insult that hon body. What he said was perhaps lightly and without reflection, he was exceedingly sorry for it, and would be ready to make any explanation which could be expected by one gentleman from another. (Hear.)<sup>60</sup>

FOOTNOTES - 12 FEBRUARY 1845.

1. The debate on this matter was reported by: LE CANADIEN, 17 February 1845; BRITISH COLONIST, 21 February 1845, KINGSTON NEWS, 20 February 1845, and ST. CATHARINES JOURNAL, 20 February 1845, in accounts which are identical.
2. BRITISH COLONIST, 21 February 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. KINGSTON NEWS, 20 February 1845.
8. The debate on this matter was reported by: BRITISH COLONIST, 21 February 1845, KINGSTON NEWS, 20 February 1845, copied from MONTREAL TIMES, and ST. CATHARINES JOURNAL, 20 February 1845, which contains some speeches which are identical, and some which are completely dissimilar; MONTREAL TRANSCRIPT, of unknown date, whose report was translated by LE CANADIEN, 17 February 1845; PILOT, 14 February 1845, whose report was copied by BROCKVILLE RECORDER, 20 February 1845; MONTREAL GAZETTE, of unknown date, whose report was copied by GLOBE, 18 February 1845.
9. PILOT, 14 February 1845.
10. IBID.
11. BRITISH COLONIST, 21 February 1845.
12. PILOT, 14 February 1845.
13. KINGSTON NEWS, 20 February 1845.
14. PILOT, 14 February 1845.
15. KINGSTON NEWS, 20 February 1845.
16. PILOT, 14 February 1845.
17. KINGSTON NEWS, 20 February 1845.
18. PILOT, 14 February 1845.
19. BRITISH COLONIST, 21 February 1845.
20. PILOT, 14 February 1845.
21. BRITISH COLONIST, 21 February 1845.
22. PILOT, 14 February 1845.
23. BRITISH COLONIST, 21 February 1845.
24. KINGSTON NEWS, 20 February 1845.
25. PILOT, 14 February 1845.
26. IBID.
27. IBID.
28. IBID.
29. KINGSTON NEWS, 20 February 1845.
30. PILOT, 14 February 1845.
31. IBID.
32. KINGSTON NEWS, 20 February 1845.
33. IBID.
34. IBID.
35. IBID.
36. PILOT, 14 February 1845.

37. KINGSTON NEWS, 20 February 1845.
38. PILOT, 14 February 1845.
39. KINGSTON NEWS, 20 February 1845.
40. According to the GLOBE, 18 February 1845, this had originally referred to the entire Province; it was "subsequently corrected to 'Upper Canada generally,'."
41. BRITISH COLONIST, 21 February 1845.
42. IBID.
43. IBID.
44. GLOBE, 18 February 1845.
45. KINGSTON NEWS, 20 February 1845.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. GLOBE, 18 February 1845.
52. IBID
53. The PILOT, 14 February 1845, explained certain votes as follows:  
"It will be seen that Doctor Rousseau only voted for registration in cities and towns, and for Upper Canada first. The hon. gentleman is opposed to the principle in counties. Mr. Aylwin, we believe, deferred to the views of the Upper Canada majority in voting as he did."
54. The debate on this matter was reported by: PILOT, 14 February 1845, whose report was translated by LA MINERVE, 17 February 1845. LA MINERVE's reporter explained that illness had prevented him from attending the Assembly for several days; as a result, his account of the debate was obtained from friends, and the bulk of it was translated from the PILOT. The PILOT gave only one speech, Mr. Armstrong's.
55. LA MINERVE, 17 February 1845.
56. IBID.
57. IBID.
58. IBID.
59. PILOT, 14 February 1845.
60. KINGSTON NEWS, 20 February 1845.

THURSDAY, 13 FEBRUARY 1845.

(255)

Petitions  
brought up.

THE following Petitions were severally  
brought up, and laid on the table:--

By Mr. Brooks, the Petition of the Reverend C. B. Fleming and others, members of the Church of England, in the mission of Shipton, Melbourne, and parts adjacent in the diocese of Quebec.

By Mr. Méthot, the Petition of the Reverend C. Dion and others, of the parish of Bécanour, in the county of Nicolet.

By Mr. Roblin, the Petition of Messrs. Miller & Brothers and others, of Picton, Canada West, manufacturers of leather.

By Mr. Watts, the Petition of the Reverend John Butler and others, of Kingsey and Durham.

By the Honourable Mr. Solicitor General Sherwood, the Petition of P. Fortin and others, students of medicine in McGill College, and the Petition of John Burwell, of Port Burwell, Esquire, late Lieutenant-Colonel of Militia, (relating to a grant of land.)

By Mr. Lantier, the Petition of the Reverend George Pyke and others, members of the Church Society of the diocese of Quebec.

By the Honourable Mr. Moffatt, the Petition of J. Pangman and others, members of the Church of England, in the mission of Mascouche, and places adjacent; the Petition of the Reverend William Davies and others, members of the Church of England, in the parish of St. John, in the county of Chambly and diocese of Quebec; and the Petition of the Reverend M. Willoughby and others, members of the Church of England, in Trinity Church of Montreal.

By Mr. Laurin, the Petition of Daniel Byrne and others, of the parish of St. Sylvester, in the county of Lotbinière; the Petition of D. Trudel and others, of the seigniorie of Batiscan; and the Petition of William Thurber, M. D., and others, of the county of Lotbinière.

(256)

Quebec Fire-  
wood Society.

An engrossed Bill, to incorporate the Quebec  
Charitable Firewood Society, was read for the third  
time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the  
Legislative Council, and desire their concurrence.



Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the Reverend P. Pouliot and others, of the parish of St. Pierre les Becquets, in the county of Nicolet; and the Petition of Thomas Fortier, M. D. and others, of the parish of St. Edouard de Gentilly, in the county of Nicolet, praying for a repeal of all the laws regulating winter carriages.

Of Dugald Munro and others, of the township of Southwold, in the district of London, praying that the Clergy Reserve Lands may not be taken from under the controul and management of the Government, but that they may be sold by the Crown in the usual manner.

Of Thomas Drury and others, of the townships adjoining the Holland Landing, in the county of Simcoe, praying that the aid petitioned for, to improve the navigation of the East branch of the Holland River, may not be granted.

Of Joseph Painchaud and others, Physicians and Surgeons, residing in Quebec, praying for the passing of an Act to incorporate a school for the study of medicine in the city of Quebec.

Of Robert Fleming Gourlay, praying that the proceedings had upon his case during the years 1841, 1842, and 1843, may be revised and reconsidered, in order that justice may be done to him.

Of Oliver Hammond, of Springfield, in the township of Toronto, in the Home district, praying that a Special Commission may be appointed to investigate the alleged unjust and oppressive conduct of the Deputy Post Master, at the Credit Office, towards the Petitioner and others.

Of William Smith and others, of Toronto and other townships, in the Home district, praying for the planking of Hurontario Street, from Port Credit through the townships of Toronto and Chinguacousy.

Of George P. Ridout, Esquire, and others, of the city of Toronto, praying that, should it be found necessary to levy an excise duty upon stills and breweries, it may be done in such a manner as not to injure those interested in the manufacture of spirituous liquors, or to encourage fraud or smuggling.

Of the Reverend Frederick Mack and others, members of the United Church of England and Ireland, in the town of Amherstburg and its vicinity, in the diocese of Toronto; of the Reverend W. S. Darling and others, members of the United Church of England and Ireland, in the township of Scarboro' and parts adjacent, in the diocese of Toronto; of the Reverend Adam Townley and others, members of the United Church of England and Ireland, in the village of Dunnville and vicinity, in

the diocese of Toronto; and of the Reverend J. B. Fuller and others, members of the United Church of England and Ireland, in the township of Thorold and vicinity, in the diocese of Toronto, praying for an Address to Her Majesty, recommending the passing of an Act to assign to the Church of England such proportion of the Clergy Reserve Lands as shall correspond with her share of the funds arising from the same; and to authorize the Church Society of the diocese of Toronto to propose a system for the future management of their portion of the said Lands.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER--

Line Fences. The Legislative Council have passed the Bill, intituled, "An Act to repeal an Act therein mentioned, and to provide for the regulation of Line Fences, and Water Courses in Upper Canada," without any amendment.

And also--

Relief of Religious Societies. The Legislative Council have passed the Bill, intituled, "An Act to extend the provisions of a certain Act of the Parliament of the Province of Upper Canada, (passed in the ninth year of the Reign of His late Majesty, King George the Fourth, intituled, 'An Act for the relief of the Religious Societies therein mentioned,') to other denominations of Christians than those therein enumerated," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Petitions referred.

W. Reynolds and others.

D. Henderson and others.

W. C. Boyd and others.

A. D. Fordyce and others.

Directors of Bronte Harbour.

Ordered, That the Petition of William Reynolds and others, of that part of the township of Woolwich, in the district of Wellington, commonly called the Pilkington Block; the Petition of D. Henderson and others, of the township of Nichol; the Petition of W. C. Boyd and others, of the township of St. Vincent and other places; the Petition of A. D. Fordyce and others, of the township of Nichol, in the district of Wellington; and the Petition of the Directors of the Bronte Harbour Company, be severally referred to the Standing Committee on Private Bills.

Contingencies.

Mr. Roblin, from the Standing Committee on Contingencies, presented to the House the third Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have, since their last Report, proceeded in examining and auditing outstanding Accounts of Tradesmen and Mechanics, and have ordered the liquidation of such as have been duly certified. An account from Armour & Ramsay, Booksellers of this city, was laid before your Committee, amounting to £279, being for a certain description of books furnished the Library, under the sanction of the late Speaker, by the request of an individual Member of the House. Your Committee are gratified to notice that your Honourable House have deemed it expedient to appoint a Select Committee, with the Speaker as Chairman, to superintend the department of the Library, as it relieves the Honourable Speaker from an onerous and individual responsibility.

Upon the subject of the Accounts for Printing and Binding the Journals and Appendix for the last Session, your Committee have ascertained that the work has been performed in a satisfactory manner, by the contractor, Mr. Barker, and have ordered the payment of the Balance due him, agreeably to his contract. A claim of £83 has been made by him, as remuneration for loss of time and delay, occasioned by the irregular and inconvenient manner in which the copy for the printing of the French language was furnished him; your Committee have investigated the nature of the claim, but do not consider themselves justified in recommending any remuneration exceeding the sum of £35 for its liquidation. Your Committee cannot allow this subject to pass, without expressing a hope, that such care may be taken in future, by the proper officer, as will prevent a recurrence of similar circumstances, in reference to the supply of copy to the printers of the French Journals.

Your Committee, in passing an account of £32 5s., being for a copy of the Upper Canada Gazette, furnished to each of the Members of your Honourable House, from that part of the Province formerly Upper Canada, beg to recommend the discontinuance of that paper in future.

(257)

Your Committee have examined the contents of the Petition of Alfred Patrick, second Clerk of Committees to your Honourable House, which was referred to them on the 17th ultimo, and they find that from the present division of the duties of the Department to which the Petitioner belongs, an increased share of labour and responsibility necessarily falls upon him. They therefore have agreed to recommend to your Honourable House, an addition of £25 to his yearly salary, commencing with the present quarter.

Your Committee have examined the prayer of the Petition of the Sergeant-at-Arms, and beg to recommend that £50 be granted him, as

an addition to his salary, this being the usual Sessional vote to that officer.

In reference to the Petition of Robert Defries, the Post Office messenger to your Honourable House, your Committee recommend that he be allowed 12s. 6d. per day, instead of 10s. as at present, to bear date from the commencement of the present Session.

Your Committee have enquired into the merits of the Petition of Julia Bell, and do not find any evidence to justify them in recommending an allowance or remuneration to the Petitioner.

The Petition of Alexander M'Donald, praying to be employed as a Committee Clerk, was considered by your Committee, and they beg to refer the matter to the Officers of your Honourable House, to whom has been committed the appointment of persons for such duties.

Your Committee have considered the Petition of Guillaume D'Eschambault, and ascertain that an account is due him of £32 5s. for his services as a Commissioner for taking evidence relative to the election of Oliver Berthelet, Esquire, as a Member of the Assembly of Lower Canada, for the East Ward, of the city of Montreal, in 1833 and 1834; the said sum was awarded to him by a Resolution of the House of Assembly of that Province, on the 26th February, 1836, but was never paid. Your Committee therefore, recommend its payment out of the contingencies of your Honourable House.

Your Committee having taken into their consideration the various matters at present referred to them, beg to submit the same with their observations and opinions thereon, for the approval of your Honourable House.

Ordered, That the said Report be committed to a Committee of the whole House, on Monday next.

Registry Laws,  
Upper Canada.

Mr. Prince, from the Select Committee to which was referred the Bill to amend the Registry Laws of that part of this Province, which was formerly Upper Canada, reported that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Monday next.

Election, Third  
Riding York.

Mr. Taché, Chairman of the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, Electors of the Third



Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this morning at eleven o'clock, but were unable to proceed to business in consequence of the absence of Mr. Macdonell, of Dundas; they accordingly waited until twelve o'clock, and adjourned.

Resolved, That as Mr. Macdonell, of Dundas, has absented himself from the said Committee, on account of urgent business, he be excused.

Petition of M.  
Houle and  
others.

The Honourable Mr. DeBleury, from the Select Committee to which was referred the Petition of Michel Houle and others, of the city of Montreal, carters, and other references, presented to the

House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee, owing to the great variety of opinions expressed before them, as to the best mode of constructing the winter vehicles, are unable to recommend any general measure as applicable to the whole country; at the same time seeing that in the counties of Montreal, Ottawa, Two Mountains, Terrebonne, Vaudreuil, Beauharnois, Huntingdon, Chambly, and Rouville, the population is a mixed one, and that the majority are unable to use their winter vehicles for the purpose of reaching the market, your Committee are of opinion, that so far as regards those counties, the Act 6 Victoria, chapter 12, should be amended by renewing so much of the Ordinance of 3 Victoria, chapter 25, as required "that the horse or horses, or other beast of draught, drawing any winter vehicle, be harnessed abreast, or be so attached, that one of both of the runners shall follow in the track or tracks, made by such horse or horses, or other beast of draught;" and also that the district of Quebec, and that part of the district of Three Rivers, which has been exempted from the operation of former laws on this subject, shall continue to be so exempt.

On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,

Petition of D.  
Cameron of  
Thorah.

Ordered, That the entries in the Journals of the Second Session of the Twelfth Provincial Parliament of the late Province of Upper Canada, which relate to the Petition of Donald Cameron,

of the township of Thorah, in the North Riding of the county of York; and the Report of the Select Committee to which the same was referred, dated 12th April, 1836, be now read.

The said entries were read accordingly.

Resolved, That the said entries, and the Petition of Donald Cameron, of the township of Thorah, in the Home District, be referred to a Select Committee, composed of the Honourable Mr. Baldwin, Mr. Roblin, Mr. Powell, and Mr. Chauveau, to examine into the circumstances complained of, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Agriculture,  
Lower Canada.

Ordered, That the Report of the Special Committee, appointed to inquire into the expediency of amending the Laws relative to the encouragement of Agriculture in Lower Canada, be committed to a Committee of the whole House, to-morrow.

Building  
Societies.

Ordered, That the Honourable Mr. Moffatt have leave to bring in a Bill for the regulation of "Benefit Building Societies."

Resolved, That the 68th Standing Rule of this House be suspended in so far as regards the present Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Pères Oblats.

Ordered, That the Honourable Mr. Morin have leave to bring in a Bill to incorporate "Les Révérends Pères Oblats de l'Immaculée Conception de Marie," in the Province of Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Crown, Clergy  
and School  
Lands.

Ordered, That the Honourable Mr. Laterrière, Mr. Taché, Mr. Cauchon, Mr. Leslie, and the Honourable Mr. Moffatt, be added to the Select Committee appointed to inquire into the present method of disposing of the Crown, Clergy, and School Lands; the

(258)

amount collected and paid from year to year, into the Public Revenue, or any other fund, from the proceeds thereof; expenses attending the same, and from what fund paid, including the receipt and expenditure of the Territorial Revenue; and that the said Committee be empowered to report on the best method of appropriating the proceeds of the same.

On motion of Mr. Christie, seconded by Mr. Prince,

Official Salaries.      Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to authorize, to a certain extent, the seizure and attachment of official salaries towards payment of the incumbent's debts be now taken into consideration.

The House proceeded, accordingly, to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 2, line 46.--After "jurisdictions," insert the following clause, "And be it enacted, that in the event of any claim or demand upon a public officer, or any portion thereof, having been contracted, or bearing date at a period longer than twelve months prior to application for arrest of salary, then and in that case, the arrest so required shall be refused, and held null and void."

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Christie do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendment.

On motion of Mr. Macdonald, of Cornwall, seconded by the Honourable Mr. Moffatt,

Fifth Lincoln Dragoons.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct the proper officer to lay before this House, copies of all correspondence between the Government and the Warden and Magistrates of the district of Niagara, relative to the calling out and payment of a portion of the Militia force of this Province, called the fifth Lincoln Dragoons, in July 1842; together with a statement of the amount claimed by the pay and allowance lists of said troop, and the men actually paid, and the reasons (if any) why the said troop was not fully paid, in accordance with the Militia general order regulating the payment of such force when called out on active service; and such other information relative to the same, as His Excellency may deem fit to lay before this House.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such members of this House as are of the Honourable the Executive Council of this Province.

District Courts. Mr. Macdonald, of Glengarry, from the Committee of the whole House, on the Bill to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of district Courts in the several districts of that part of this Province formerly Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Provincial Revenue. Mr. Seymour, from the Committee of the whole House, on the Bill to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue, reported, according to order, the amendments made by the Committee to the said Bill which amendments were again read at the Clerk's table and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Duties on Customs. Mr. Colville, from the Committee of the whole House, to consider the expediency of repealing certain Acts granting duties on Customs, and enacting others in lieu thereof, reported, according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to repeal certain Acts, relating to the Customs, with a view to consolidate the same, and also for the purpose of granting duties of Customs.

Ordered, That the Honourable Mr. Robinson have leave to bring in a Bill, to repeal certain Acts therein mentioned, and to consolidate the laws relating to the Customs, and for granting duties of Customs.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Outrages, Public Works. The Order of the Day for the second reading of the Bill for the better preservation of the peace, and the prevention of riots and violent outrages at, and near Public Works, while in the progress of construction, being read,

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Robinson, that the said Bill be now read a second time.<sup>1</sup>



MR. LAFONTAINE said, according to the manner in which the Bill was worded, it would give power to the Executive to disarm any portion of the citizens of the country who might remove within the limits of the proclamation of the Governor General. As it now stood, he could not vote for the Bill, but if its operation were confined to the labourers actually engaged upon the public works of the Province, he was willing to support it. For, although he was averse to the principle it contained, yet he believed it to be necessary, under the circumstances.<sup>2</sup>

MR. ATT. GEN ((JAMES)) SMITH said, that there appeared to be an error in the drawing of the Bill before the House, which, as was frequently the case, had escaped the observation of those who drew it, and had at once struck those who read it. It was not the intention of the Government to introduce a general disarming measure; he should look upon such measure as an atrocious one. He was willing to meet the suggestions offered him by the Member for Terrebonne. And so long as the principle of the measure was untouched, he would be happy to listen to any amendments which Members could offer, because he was most anxious that the measure should meet the approbation of the House and with that he would rather have a measure which would not give such general satisfaction, than attempt to force a better one against the opinion of a number of the Members. If he understood the intention of the Member for Terrebonne, it was that the measure should be so worded that the disarming clause should apply only to actual laborers on the public works; that the amount for this service should not be less than £10,000 for the time necessary.<sup>3</sup>

MR. LAFONTAINE said, that he was not in favor of the principle of the Bill, but if the amendments he had suggested were adopted, it might pass the House with little opposition. He believed that the measure as it now stood did not give a fair expression of their intentions, as he and others had understood the intention of the Bill is to give power to disarm not only the laborers on the canal, but the citizens of any portion of the country which might be declared, by proclamation of the Governor General, within the limits of its action. He trusted that the limits of its action should be so fixed that no citizen should come under its operation, and he suggested that it should not extend beyond one mile of the line of the canals now in progress, or to become so in future.<sup>4</sup>

Attorney General ((MR. JAMES)) SMITH said that ((such a)) limitation would frustrate the intention of the Bill altogether, as in many cases the laborers lived at a far greater distance from the line of the works.<sup>5</sup>

MR. CHRISTIE said that such a limitation would be a perfect fallacy. He was willing to give the government as much money as they required, and every other power they asked to give effect to it, after the solemn appeal which they had made to that House.<sup>6</sup>

MR. MERRITT said Mr. LaFontaine had anticipated him in the remarks which he had made; he considered that it was necessary that such an alteration should be made, that the law should not affect any citizen of the country.<sup>7</sup>

((MR. AYLWIN)) opposed the principle of the Bill, and stated that though he should stand alone, he should do all in his power to oppose it, and would record his vote against it. He believed that the good old common law of England was quite sufficient for the occasion, and equal to any emergency which might arise; and there was no necessity for this unconstitutional coercion Bill, if that law was efficiently carried out by proper officers.<sup>8</sup> He (Mr. Aylwin) would compare the course now proposed by the Attorney General with that which was pursued by the British Government towards Wales some 3 or 4 years ago. Upon that memorable occasion, when life and property were so extensively destroyed, coercian (sic) acts were not passed, courts martial were not established: no, the common law of the land was alone invoked; the judges of the land were sent down and a calm and impartial enquiry was instituted, and such would be the proper mode of proceeding in the case of the disturbances now complained of in this House. He (Mr. Aylwin) found that the measure now before them was directed against a poor & suffering class; men who get some 2s. 6d. per day, one fourth of which they were, perhaps, cheated out of, and with the wretched residue have to support large families. Such legislation was unworthy of a government, and none but a weak government could need to resort to it. He would ask where were the facts that the Attorney General had adduced to support his case. There were none. But he could adduce facts to show that it was not on the lines of canals alone this law should be enforced. In the streets of this metropolis, and in the halls of the Legislature itself men went armed; when he was relating to a man of high standing in this city that a person in the gallery dropped a pistol out of his pocket the reply was, "I have four pistols in my pockets at this moment." And he would even ask an hon. gentleman opposite, if in his own family where the greatest, the most sacred control should exist, that of a parent, he could ask that hon. gentleman if a member of his family, his own son, did not go publicly into a shop and buy ammunition, to protect himself as he asserted.<sup>9</sup> He accused the Member for Montreal, Mr. Moffatt, of having in the first Session of the last Parliament, stood alone in voting for the exclusion of the French Language from the Legislature.<sup>10</sup>

MR. MOFFATT ... repelled the accusation, upon no occasion had he attempted to do so silly, so unjust an action as to compel Members of that House to give a decision upon a subject which they did not understand. But upon the question of the force of the Translator's Office, he had objected to the number of persons proposed for that establishment as extreme. So far from his ever having done that of which he was accused, upon one occasion in the Special Council, when it was proposed

to pass the Judicature Bill without its being translated he had opposed it, because there was one gentleman there who did not understand English.<sup>11</sup>

MR. AYLWIN continued--Then the Hon. gentleman must have expressed himself very ambiguously.<sup>12</sup> He was even told in another part of the building, by a gentleman for whom he had the highest respect that it was necessary to have a secret organization of armed men in this city. The gentleman who made use of those expressions occupied a high position in the country, and the feeling that came over him, (Mr. Aylwin,) when he heard it was one of deep regret, for he was nurtured in a regard for the common law of England, and had always looked upon the protection of society as depending on the verdict of twelve sworn men. He never was in Ireland, he pitied that country and contrasted it with the happy state of England, where there was no Arms Bill, and where the common law formed a sufficient defence for society, and for that reason he did not want to see the Statute Book stained with this Bill. He well knew what had occurred during the unhappy years of 1837 and 1838, when the Governor and Council ruled without control, and if this bill had been made law at that time he would have said, that it was a moderate law, and would have been very much in its favour; but those dangerous times had passed away, as every one admitted, and especially the Members of the Special Council, one of whom he saw sitting opposite. He (Mr. Aylwin) was much surprised at the support given to the present bill by some of the hon. gentlemen opposite, those who were in the last Parliament so jealous of the rights of the subject when a bill was brought in to suppress certain riotous gentlemen, a class who rioted under the sanction of secret oaths, and with an air of religion forsooth. He would remind the hon. member for Leeds and an hon. member from one of the Ridings of York of what were their feelings upon that occasion. And he would also ask what sort of a position the hon. member for Megantic now felt himself in. He should like to know if that hon. gentleman intended to vote for this bill.<sup>13</sup>

Yes, yes, from MR. DALY.<sup>14</sup>

Well then all he (Mr. Aylwin) had to say was that the hon. member for Megantic would support anything, and he could not help congratulating him upon the active and happy union which had grown up between him and the hon. member for Leeds! But to resume. He would ask on what principle was it that they were to legislate exclusively for putting down riots on the canals, and take no notice of what occurred in Montreal? Three days after the meeting of the House, did not a rabble repeat to the Legislature here, the same thing that happened in Kingston, where a crowd of ruffians yelled and yelled their delight at a certain member taking his seat? He had heard of Lord George Gordon's riots, and of the Manchester riots, but they were respectable in that part of the world, there were men of good rank and station concerned in those riots. He



could easily excuse Lord George Gordon, because he was a mad-man, but were they going to make the same excuse for these Canadian rioters. Did the Government interfere and bring them to punishment? When a band of ruffians calling themselves Cavaliers marched about the streets of Montreal, armed cap a pie, the countenances of those men were known, their names were known, and were they ever brought to punishment? (hear, hear.) And yet, although all this was known, and although every one knew that this was a disturbed city, (hear, hear,) the Attorney General told them most authentically, that he knew nothing of such a state of affairs. He made that statement then, but now seemed to have more knowledge of what was taking place on the Canals. The Hon. Attorney general knew as well as any member that it was advocated in public and particularly by the press, that a Bill should be passed as soon as possible after the opening of the session, to preserve the peace even at the paltry, Municipal Elections of this city, for people of all classes had reason to fear violence, and yet in spite of this he declared that he knew nothing of the riots in this city; and as necessity was so apparent at that time, he conceived he had a right to ask what new outrages had since occurred to make this Bill necessary. He might even go further, and ask was the conduct of the Canallers brought under the notice of the Government in such a shape as to call on the Attorney General to perform his duty as a Crown Officer? He believed the hon. gentleman could not say so. And here he might refer to a statement made in the public prints at the time the hon. member for Terrebonne was on the Treasury Benches. It was asserted loudly that that hon. gentleman was not capable of performing his duty, and the same assertion was made even in the halls of the Legislature. It was impossible for that hon. member to leave Kingston at that time to carry on the Crown prosecutions, but he would ask how was it that the Attorney General now on the spot, found all his time so taken up that he was unable to perform his official duties himself, and thereby save a great expense to the country? He would tell that hon. gentleman one thing, that he would hold him fully as responsible for the due performance of those duties, as if he had performed them himself. He felt he had trespassed too long on the time of the House.<sup>15</sup>

Hear, hear, from the Ministerial side.<sup>16</sup>

He ((MR. AYLWIN)) did not want any courtesy from hon. gentlemen opposite and was quite ready to hear them cry out "hear, hear," as he well knew that not one word he uttered would please them, and that if he spoke with the tongue of an angel he would not make any impression on them. Let them give up their rights if they chose, but he would say in language well known to certain gentlemen opposite, "no surrender."<sup>17</sup>

Hear, from MR. GOWAN.<sup>18</sup>



The hon. member ((MR. AYLWIN)) concluded by contrasting the manner in which Lord Sydenham ruled Canada, with the conduct of men now in power who are ignorant of the constitution and the way in which it should be worked out. Men accustomed to despotism in the East and West Indies came to this country and told the people that the best precedents were to be drawn from the statute book of Ireland. He was sorry for it in one sense, because it would tell the people of the neighboring Republic that we are in a state of rebellion, and he was glad of it, because it showed that the ministry was miserably weak.<sup>19</sup>

MR. GOWAN said that he was glad to see all his Hon. friends alive and well after the dreadful explosion of the 74-pounder with which he had threatened them on a previous occasion. The Hon. gentleman had referred to what he termed a body of ruffians who had come down with Mr. Murney, the Member for Hastings, when he had been returned to that House after having been dismissed from his office by the arbitrary act of a corrupt Administration. That body of ruffians consisted of his constituents, of the people of Houston (sic), who went out to meet him, and he was proud to say that he, and several Hon. gentlemen whom he saw around him, had accompanied the Member for Hastings. And upon that occasion they had given three cheers for the Queen, three cheers for the Representatives of the Queen, and three for the successful Candidate. A great deal had been said about there being no evidence before the House relative to these outrages. He held in his hand a volume containing evidence, from which he would read some of these outrages for the information of the Member for Quebec.<sup>20</sup>

MR. AYLWIN here rose and walked towards the door.<sup>21</sup>

((MR. GOWAN--)) I trust the Hon. gentleman will stay in the House and hear this evidence.<sup>22</sup>

MR. AYLWIN--(going out of the door)--Oh read away.<sup>23</sup>

MR. GOWAN--(here read some voluminous extracts from the documents before the House)--The Bill which was before the House, was called a proscriptive measure, a measure taken from the Statute Book of Ireland; but if Honourable gentlemen would refer to the Statute Book of Upper Canada, they would find therein an act far more stringent than the one now proposed. He referred to the Bill passed on the 6th March, 1838, and which passed by an unanimous vote of the House--Messrs. Merritt and Roblin voting for it. This Bill gave power upon affidavit for the houses of all persons to be entered at any hour of the day or night, and to be searched for arms, and removed therefrom. And if entrance was not given upon demand, it empowered the constables to break into the premises to carry out their search. After the passage of such an Act, how could it be said that the Administration had gone to the Statute Book of Ireland for this measure? And let gentlemen also recollect

that the Statute of which he had spoken was voted for by Reformers. The Member for Quebec, had boasted of his conduct when he was Crown Officer, upon the occasion of the prosecution of some of the Canalmen for riot, and he certainly thought he had but little to boast of. It was his duty, when gentlemen in the Commission of the Peace were engaged in prosecuting parties, to afford them all the assistance he could, and to shield and protect them in their office, but he had himself told that House that instead of doing this, in open Court, before these men, he had denounced the whole Magistracy of Montreal as inefficient. Such conduct was unbecoming; and he believed led in the end to the encouragement of a repetition of outrages. That Honble. member had indulged in a great deal of abuse of the Contractors, such language was mere claptrap. Were the poor habitants of Beauharnois, who had petitioned that House for relief, Contractors? Were the farmers of Dundas hard hearted Contractors? No! It was the inhabitants of the County, who complained of these outrages, and demanded justice. The allusions which the Member for Quebec had made to a gentleman who had been charged with murder, were most indecent and uncalled for. That person had given himself up to justice and he had been acquitted by a Jury of his country((men)).<sup>24</sup>

DR. NELSON--What sort of jury?<sup>25</sup>

MR. GOWAN continued. He knew nothing of the juries of Montreal, but this he knew, that he had been acquitted; and he was bound to hold him guiltless. He knew also that there were others of the opposite party now in confinement against whom true bills had been returned for wilful murder, and yet no member could be found upon this side of the House who could so far forget himself as to allude to their situation or attempt to prejudice public opinion against them. The Member for Quebec had alluded to the Secret Societies Bill, he cared nothing for he had never been a recipient of Government favours, and the ((Bill)) would not have affected him. But when he spoke of his (Mr. G.'s) political connection with the member for Megantic, did he think that because that gentleman was a Catholic, and he was a Protestant that this was a reason why they should not act together.<sup>26</sup> "Does the honourable and learned member for Quebec wish to cast the fire-brand of religion between me and the hon. member for Megantic?"<sup>27</sup> He trusted that no ((such)) attempt would be made .. and if it was attempted, that members would frown down such an attempt, and treat him who was guilty of it with the contempt and obloquy he deserved. The Member for Quebec was the very last person in that House who should talk of the inconsistency of others. He (Mr. G.) had papers within that desk which would show how different were his opinions at one time of these gentlemen with whom he now voted. He could show the House the occasion where he had risen in his place in Parliament; and thanked God that there was but one Leslie in the world and yet now, he was acting with him.<sup>28</sup>

DR. DUNLOP said that the Member for Quebec was a most valuable Member; he was valuable in two ways. He was the forlorn hope of his party, the man who was thrust into the gab upon all occasions to try the temper of the House, and if it would not do, to bear the brunt of it. And he was also valuable in another way: it was said that every minute which that House sat cost the country a dollar; now the Hon. gentleman had spoken for an hour and a quarter, and therefore a man whose speech had cost the country seventy-five dollars could not be other than a valuable Member. The Member for Quebec had alluded to a band of ruffians who had accompanied the Hon. Member for Hastings to the Parliament House at Kingston, and he begged to say that he was one of those ruffians, and it was the first time that such a term had been applied to him.<sup>29</sup>

The House adjourned for half an hour, at seven o'clock.<sup>30</sup>

MR. SMALL ... ((was)) favourable to means for the preservation of the peace, but contended for the modification of the bill; and ... would desire its provisions to be confined to the immediate vicinity of the Works.<sup>31</sup>

MR. CAUCHON spoke ... in French in opposition to the Bill. He deprecated the introduction of the Bill, as unnecessary in the first place, and arbitrary and unjust in the other. He took occasion to reproach the Government that when the Quebec Debating Club petition had been presented it had not been supported by Ministers, because it was an institution which would have done much to put an end to such outrages by educating the lower orders.<sup>32</sup>

DOCTOR NELSON said that from all he had heard of the debate he apprehended that a desire existed on the other side to attribute unmitigated blame to the Irish labourers. He (Dr. Nelson) could not concur in such blame nor quietly listen to it. He knew the Irish character; and its distinguishing traits were gratitude, affection, and bravery. It was a part of his (Dr. Nelson's) duty to visit the labourers on the Lachine line of Canal, and he could testify that never did he see more affectionate husbands & fathers, and certainly never did he witness such resignation to the terrible ills of life as these men and their families exhibited. Their wants were of the direst kind. He (Dr. Nelson) had frequently to prescribe for them, not medicine, nor the ordinary nourishments recommended by the profession, but the commonest necessities of life; he daily found them destitute of these necessities, and he was, therefore, most strongly of opinion that the system under which they were employed, and which afforded them such a wretched existence ought to be fully enquired into. He thought that such an enquiry would reveal iniquities on the part of the contractors which would palliate to a great extent the conduct of the men. He did not mean to impute harshness to all the contractors, on the contrary he



knew that some of that body were most worthy men and acted with justice towards the labourers, and he (Dr. Nelson) also believed that these contractors would, if called upon, prove before this House that the labourers under their control have had no participation in the offences complained of and upon which this bill had been predicated. The hon. gentleman concluded by declaring his intention to watch the bill closely and to oppose its extending beyond what the due preservation of the public peace required.<sup>33</sup>

MR. JOHNSTON would support the measure as one which would, instead of being oppressive to his countrymen, to whom it would apply to the greatest degree, be an act of kindness by taking the means of evil out of their hands.<sup>34</sup>

MR. DUGGAN spoke next and ... ((expressed)) great indignation at the praise of his countrymen which had marked the "mawkish speech" of ... ((Dr. Nelson)). He (Mr. Duggan) did not look for the character of his countrymen (for he too was an Irishman) among "a few paltry laborers digging on a canal," no, he looked to the ensanguined plains of Waterloo, and to every other place where British valor triumphed.<sup>35</sup> ((He)) said that the Member for Quebec had opposed the Bill on the ground that the good old Common Law of England ought to be and was, sufficient to put an end to the existing outrages. He would call to that Hon. gentleman's mind a subject to which he had himself alluded when he had considered this law which he now eulogized in such glowing terms, as insufficient to ((t))he occasion. He alluded to the Secret Societies Bill, a bill which he had regarded at the time with feelings of indignation, as an attempt of the party in power to oppress their political opponents. He had, upon the occasion of that measure being brought forward, appealed to the existing Ministers against it, as an unjust and tyrannical exercise of power. He had then asked if the Common Law of England was not sufficient, but that good old law was then quite forgotten. The principles of that law were violated--yes, the decision of her Majesty's Government at Home was a record that they had violated those principles; the people of Upper Canada had testified against them, and the record was upon these benches. He was in favour of the present measure, as one calculated to preserve the peace without being felt as a grievance by any one. It was notorious that these canalmen were too poor to buy arms, and when they obtained them it was either by plunder, or through the means of persons who had been known to have induced them to forget their duty to their country.<sup>36</sup>

MR. HALE regretted to have observed the tone which had been adopted by honourable Members in discussing a measure of this importance, a Bill for the preservation of the public peace. The speeches which had been delivered were not calculated to tend to that purpose, but could, on the contrary only have the effect of keeping up and increasing excitement. He really hoped that Members would bring their calm



judgment to this question, apart from political feelings.<sup>37</sup>

MR. AYLWIN,--Amen! (Order! Order!)<sup>38</sup>

The Speaker ((SIR ALLAN MACNAB))--The Hon. Member for Quebec is out of order.<sup>39</sup>

MR. AYLWIN.--I, Sir; I have said nothing.<sup>40</sup>

The Speaker ((SIR ALLAN MACNAB))--The Member for Quebec will take his seat; if he persists in this disorderly conduct, I shall be compelled to appeal to the House.<sup>41</sup>

MR. HALE--He had heard the remark of the Member for Quebec. Perhaps that gentleman regretted the moderate tone which he had made use of, and if he had, he (Mr. H.) was disappointed in him. A great deal had been said about this Bill having the effect of putting down Irishmen--if it would have that effect, he would be the last man in the country to support it. He was aware of their grand qualities as a people, but it was well known that they were warm-blooded, and apt to quarrel. This Bill would have the effect of preventing them, and that alone was a sufficient reason for the passage of the Bill. He believed that the principle of this Bill would be readily admitted, and would be confirmed by a majority of the House. And therefore he hoped that the time of the House would not be taken up with idle discussion, when it was better to proceed at once to the discussion of the detail. He believed that the Bill would not give satisfaction if it passed that House by a small majority, if it had the appearance of being forced through the House. He therefore did hope that honourable Members admitting the principle, would allow the Bill to go into Committee, where he had no doubt, any suggestions which they might offer in amendment of the detail, would meet with every consideration from Ministers; and he trusted that the Bill would pass the House by a large majority.<sup>42</sup>

MR. COLVILLE would avoid those exciting topics which had been alluded to by some Hon. Members, and endeavour to confine his observations to the principle of the Bill. Members should bear in mind that there were two parties whose lives and properties they were called upon to protect. In the first place, there were the workmen upon the Canal, and he believed this Bill would be received by them as a boon, and instead of being felt as an act of oppression or injustice, would be in reality an act of kindness. And he would tell them why. The other day a man had been convicted at the Criminal Court of having in open day robbed the house of a Canadian upon the Beauharnois Canal of a gun. The reason which he and others gave for his having done so was because the faction to which he belonged had been driven off the line of works, and he and his friends were arming themselves to go up and drive them off in their turn. If they were deprived of arms it would prevent the

men of one party waging war against those of another in this manner. But here was another party that he was more bound to consider, and it was those who had sent him to that House, the peaceable inhabitants of the country, the peaceful Canadians through whose land the line of the Canal ran. It was his duty to protect their houses, their property, and their lives and persons: and he felt it was the duty of that House to give the Government such powers as should enable them to repress the outrages which had been committed on these unoffending people. He yielded to no man in attachment to the principles of British freedom, he was ready to live for them, and if it was necessary he was willing to die for them. But in an extraordinary case like this, where persons who had no stake in the country, but who were migratory and brought into this colony as if there were not already people enough for such works--in a case like this when these men committed outrages not only upon the inhabitants of the country, but armed themselves to shoot down one another--in such a case he said, it was not a time to stickle about Constitutional Law. He was thankful that the administration had brought in this measure, and he would give it his hearty support.<sup>43</sup>

MR. CHRISTIE could not say that he approved of the principle involved in this bill, for he thought it was a very bad one. He (Mr. Christie) did not at all like the practice of domiciliary visits. But he would be very sorry to take the responsibility of opposing the bill, though a bad measure in itself, yet one that the state of things imperatively called for. He would, however, wish his hon. friend opposite to postpone its further progress for a few days, in order to give a little time for the consideration of the details.<sup>44</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, that he could not concur in the recommendation of the Member for Gaspé. He had been ready to listen to any amendments which Hon. gentlemen wanted to suggest and in attempting to do so, in order to meet them half way, he had been impeded by a discussion, in which the most groundless objections were urged against the measure. He was told by Hon. gentlemen that they admitted the principle of the measure, but they were willing to give the Government all the power it asked for the preservation of the peace, but that they objected to the detail. Although they were ready to accord greater power than was asked, yet they cavilled at the detail of the measure: and so doing, he must say, was an extraordinary manner to show their support in. He would put unto the good sense of the House, how the disarming clause could be carried into effect without a constabulary force? He was against the employment of the Military power, except in cases of very great emergency because it tended to confusion, and would be the ground of an outcry from one end of the country to the other. All the objections which had been urged ought to have been urged in Committee of the whole, where they could be fairly discussed and answered and were not pertinent to the second reading. The objections which had been made might all be removed in Committee of the whole. There would be no

power to carry out the principle of the Bill if its provisions were all red (sic). The first clause had been objected to but that clause was merely descriptive; and he was perfectly ready to make it apply only to those who were actually employed on the public works, therefore that obnoxious point was removed. He had never intended that the Bill should apply to citizens of the country but only to those who had no ((local habitation)) in the country except that afforded them by their employment upon the public works. The next objection was to the constabulary force, which he contended was essentially necessary. He believed that there was no man but the Member for Quebec, who had volunteered to do so, who would now venture to arrest one of these men among hundreds of his fellows, unless supported by the Military power. The domiciliary visits were also objected to, and he allowed that they were objectionable, but they were absolutely necessary, for without them it would be impossible to reach the arms in the possession of these men.<sup>45</sup>

MR. DRUMMOND said that he had felt much disposed to vote against the second reading of the bill, because he feared it had been predicated upon the opinion that the unfortunate men on the canal were incorrigibly bad.<sup>46</sup>

No, no, from the Attorney General ((MR. JAMES SMITH)) and others.<sup>47</sup>

He (MR. DRUMMOND) was opposed to all measures founded upon a belief in the inherent corruption of man, and this had made him regard the present measure with a jealous eye; he had weighed it well, for he considered that it was one which if worked well was capable of producing the best effects, and if otherwise the greatest evil; and he certainly felt much inclined to vote against its second reading.--But with the modifications which he now understood were to be conceded, and as the bill contemplated a constabulary force as the chief means of preserving the peace, he should scarcely feel prepared to take the responsibility of offering opposition.<sup>48</sup> He was not opposed to the establishment of a civil force. He was totally in favor of a constabulary force<sup>49</sup>. He believed that the best mode of preserving the peace was the employment of a large constabulary force; it was with that conviction that he voted for the resolutions upon which this bill was founded, and he was now prepared to vote for a sum of money in order to establish that force.<sup>50</sup> He would be willing to vote a much larger sum than was asked for that purpose, if necessary.<sup>51</sup> But if he might be allowed to make a suggestion, he would say that<sup>52</sup> the maintenance of the peace would depend not so much upon the number of the force employed, but the character of the Magistrates under whose control they were placed. Let them not be chosen for any conspicuous political part, but for higher qualities, for kind dispositions, and experience in dealing with large bodies of men<sup>53</sup>, which is derived from a knowledge of human nature.<sup>54</sup> The measure was a most important one, and one which might be productive

of great good or of great evil. It had been his first intention to have voted against the Bill, as, from the reading of it, he had supposed that its application was to be general, but after the explanation which had been given by the Attorney General, and the modifications which had been introduced into it, he would now support it. He would suggest that there was one method by which all the outrages which had occurred could be prevented in future<sup>55</sup>. He believed that a great part of the outrages arose from the treatment which the workmen met with from the contractors, and he was firmly persuaded that if the works instead of being given out to contractors, were conducted by the Board of Works, that the difficulties would cease.<sup>56</sup> According to the present system, it was not the yeomanry who were employed, it was not the emigrants who came from home to seek a better fare than they had known in their own country, but those contractors brought in bodies from the United States<sup>57</sup>, from whence they draw the very worst of men employed there; and that is done with tacit approval of the Board of Works. Why should not the Government carry on these works through the sole medium of the Board of Works--the Board appointing as its subordinates men of science and intelligence. These latter are the class of men, sir, who ought to be encouraged in our country, and made rich by the fortunes of 50 & £80,000 with which individual contractors now retire from the country.-- A trial of this plan was made upon the Beauharnois canal, and why was it abandoned? because the price of work cost a few hundreds more than an adjoining portion of similar extent, which was completed by contractors. Yet, what would that trifling additional expense have been compared with the vast cost which the present proposal would entail on the country. The men on the Beauharnois canal were then orderly, and admitted that they were perfectly satisfied, but the moment the work fell into the hands of contractors discontent arose, and the discontent was not quelled, until it had arisen to insurrection. The progress of the troubles was viewed with calmness by the men in authority; and when the military were first called for, they were refused by the commander. And this was another reason why he (Mr. Drummond) was opposed to trusting to military force; it could not always be obtained when required. There was also this advantage in the employment of a constabulary in preference to an armed force; if the constable exceed his duty there is a certain remedy; he may perhaps throw a man in prison; but if that man be innocent he will afterwards be restored to his family; when, however, the military are called out the soldier is obliged to do his duty, and men are shot down who perhaps are compelled to be present, and who are quite as unwilling to break the peace as any man in the world. His great objection to the bill had consisted in the power which it conferred upon the Government, of extending its provisions throughout the parishes in which public works were going on; for he could easily fancy the trouble which would be caused in peaceable parishes like St. Hyacinthe or St. Cesaire by the operation of such an act, which might be even put in force in Montreal itself, because there was a portion of some of the public works going on here; as that objection, however, was to be removed,



and other modifications made, he would vote for the bill<sup>58</sup>. It was a constitutional right that all men possessed to keep and carry arms for the protection of their property; but the laborers had no property to protect, they were too poor to acquire any, and therefore it was better that a little should be sacrificed to prevent the loss of a single life, or the commission of an act of violence. The possession of arms among these men, when driven by the arbitrary acts of the contractors, or want, to acts of violence, might tend to serious consequences, and therefore their being deprived of them would contribute to the peace of the country and their own welfare. Upon these considerations he would vote for the second reading of the Bill.<sup>59</sup>

MR. MOFFATT perfectly agreed with the remarks which had fallen from Mr. Hall (sic) and he concurred, in a great measure, in what had been said by the Member for Portneuf. But he was of opinion with the Member for Terrebonne, that it was also necessary that small bodies of troops should be placed upon the line of the Public Works to assist the civil power, without which the establishment of a constabulary force would be futile. It was the duty of the Executive to obtain the co-operation of the Commander of the Forces in this measure.<sup>60</sup>

MR. BALDWIN had upon a preceding evening expressed his cheerful concurrence in a vote of money for the purpose of establishing this force, but he had felt that he could not support the bill in its original shape; the alteration which had been made however had removed his objection, and as he had always considered it to be the first duty of Government to preserve the peace of the country, so he would support this measure; true it was not pleasant, it never could be pleasant, to restrict the liberties of the subject, but in the present case the restriction for a time might prevent its loss for ever. The Hon. member then said that he could not sit down without adverting to the strong feeling which was evinced against his learned friends, one of the members for the city of Quebec and the member for Montmorenci, for the zeal with which they had opposed the present bill. He (Mr. Baldwin) felt bound to say, in justice to his hon. and learned friends, that their zeal was highly respectable; it grew out of love for the liberty of the subject; and hon. members opposite ought not now to say so much against it seeing that it had the effect of inducing the Attorney General to withdraw the most offensive part of the bill.<sup>61</sup> He considered that it was necessary that there should be a military force in the vicinity of the works to aid the constabulary, if they should be overpowered and not able to perform their duty.<sup>62</sup>

MR. MCCONNELL said, however humiliating it might be, he should vote for the second reading of this Bill. It was humiliating to a Canadian born subject to be compelled to vote a sum of money for the preservation of the peace in a time of peace, but it was requisite that it should be done. Many ways had been suggested for preventing the outrages which had

occurred, and he would mention one. If peaceable people could not be obtained from Ireland to carry on these works, there were the quiet and industrious Canadians who now went annually in thousands to the United States in search of work, let them be employed, and it would be found that it was no longer necessary to vote a sum of money for the preservation of the peace.<sup>63</sup>

(258)

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Bertrand, Boulton, Brooks, Chabot, Chalmers, Chauveau, Christie, Colville, Cummings, Daly, DeBleury, Dewitt, Drummond, Duggan, Dunlop, Ermatinger, Foster, Franchère, Gowan, Guillet, Hale, Hall, Jessup, Jobin, Johnston, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Méthot, Meyers, Moffatt, Morin, Murney, Nelson, Powell, Petrie, Price, Prince, Robinson, Roblin, Rousseau, Scott, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Taché, Taschereau, Thompson, Watts, Webster, and Williams.--(64.)

NAYS.

Aylwin and Cauchon--(2.)

So it was carried in the affirmative.

The said Bill was read accordingly.

Ordered, That this House do now adjourn for half an hour.<sup>64</sup>

(259)

Pursuant to Order, the House adjourned until this hour,

8 O'Clock, P. M.

Election,  
County of  
Halton.

Mr. Williams, Chairman of the Select Committee, appointed to try the merits of the Petition of James Durand, Esquire, of Dundas, in the county of Halton, in the Gore district, complaining of the undue election and return of James Webster, Esquire, reported to the House, that the Committee met this day, pursuant to adjournment; and in conformity with the provisions of the statute, they reported the absence of Mr. Lacoste, one of their Members.

Ordered, That the said Committee have leave to adjourn until Thursday, the sixth day of March next, at ten o'clock, P. M., to meet then in the Committee Room, No. 3.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Robinson.

Outrages Public Works.

Ordered, That the Bill for the better preservation of the peace, and the prevention of riots, and violent outrages at, and near Public

Works, while in progress of construction, be now committed to a Committee of the whole House.

Mr. Roblin took the chair of the Committee,

The House then ... passed a few of the clauses embodying the alterations proposed by the Attorney General ((MR. JAMES SMITH)).<sup>65</sup>

The disarming clause applies only to laborers engaged upon the works, in such places as the Proclamation of the Governor General shall direct.<sup>66</sup> A sum of £10,000 per annum for two years, and thence to the end of the next Session is provided, and a force of 100 Mounted Police.<sup>67</sup>

((MR. DRUMMOND urged that)) a provision in the bill which allowed Magistrates to grant licences to keep arms to such of the men as they might deem worthy of the privilege ... ((be)) expunged. Such a distinction, said Mr. Drummond, would only give rise to jealousy and perhaps to favoritism.<sup>68</sup>

((The clause was expunged.))<sup>69</sup>

(259)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Roblin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Macdonell, of Dundas,

The House adjourned.<sup>70</sup>

FOOTNOTES - 13 FEBRUARY 1845.

1. The debate on this matter was reported by: LA MINERVE, 20, 22 February 1845; MONTREAL GAZETTE, 15 February 1845, copied by BRITISH WHIG, 18 February 1845, KINGSTON NEWS, 20 February 1845, and the EXAMINER, 26 February 1845, in accounts identical in most respects except that the GAZETTE's report gives more speakers than do the NEWS and the EXAMINER, and the speeches are in more detail than those in the EXAMINER; LE JOURNAL DE QUEBEC, 20, 22 February 1845; and the PILOT, 17 February 1845.
2. MONTREAL GAZETTE, 15 February 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. PILOT, 17 February 1845.
10. MONTREAL GAZETTE, 15 February 1845.
11. IBID.
12. IBID.
13. PILOT, 17 February 1845.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. MONTREAL GAZETTE, 15 February 1845.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. PILOT, 17 February 1845.
28. MONTREAL GAZETTE, 15 February 1845.
29. IBID.
30. IBID.
31. PILOT, 17 February 1845.
32. MONTREAL GAZETTE, 15 February 1845.
33. PILOT, 17 February 1845.
34. MONTREAL GAZETTE, 15 February 1845.
35. PILOT, 17 February 1845.
36. MONTREAL GAZETTE, 15 February 1845.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.



42. IBID.
43. IBID.
44. PILOT, 17 February 1845.
45. MONTREAL GAZETTE, 15 February 1845.
46. PILOT, 17 February 1845.
47. IBID.
48. IBID.
49. MONTREAL GAZETTE, 15 February 1845.
50. PILOT, 17 February 1845.
51. MONTREAL GAZETTE, 15 February 1845.
52. PILOT, 17 February 1845.
53. MONTREAL GAZETTE, 15 February 1845.
54. PILOT, 17 February 1845.
55. MONTREAL GAZETTE, 15 February 1845.
56. PILOT, 17 February 1845.
57. MONTREAL GAZETTE, 15 February 1845.
58. PILOT, 17 February 1845.
59. MONTREAL GAZETTE, 15 February 1845.
60. IBID.
61. PILOT, 17 February 1845.
62. MONTREAL GAZETTE, 15 February 1845.
63. IBID.
64. According to all the newspaper sources, this adjournment took place at about 7 o'clock, in the middle of the debate, and well before the division was taken. These various sources are considered, in this instance, much more likely than the JOURNALS to be correct (unless there was a second half-hour adjournment which is highly unlikely) and as a result the adjournment is included in the context of the debate. See text of footnote 30 above.
65. PILOT, 17 February 1845.
66. MONTREAL GAZETTE, 15 February 1845.
67. IBID.
68. PILOT, 17 February 1845.
69. IBID.
70. According to LA MINERVE, 20 February 1845, "il passait minuit."

FRIDAY, 14 FEBRUARY 1845.

(259)

Petitions  
brought up.

THE following Petitions were severally  
brought up and laid on the table:--

By Mr. Christie, the Petition of the Honourable L. Fiset and others,  
of the county of Gaspé.

By Mr. Jessup, the Petition of A. Jones and others, members of the  
United Church of England and Ireland, in the township of Augusta, in  
the district of Johnstown, (relating to the School Act.)

By Mr. M'Connell, the Petition of the Reverend Thomas Johnson and  
others, members of the Church of England, in Abbotsford and Rougemont.

By Mr. Dunlop, the Petition of the Honourable James Crooks, of  
the district of Gore.

By the Honourable Mr. Baldwin, the Petition of Henry Gold and others,  
of the township of Reach, in the Home district; the Petition of L.  
Davidson and others, of the township of Brock, in the Home district;  
and the Petition of Alexander Cambell and others, of the township of  
Thorah, in the Home district.

By Mr. Méthot, the Petition of Stephen Payment and others, of the  
parish of St. Gregoire, county of Nicolet.

Management  
of Customs.

An engrossed Bill, to provide for the management  
of the Customs, and of matters relative to the  
collection of the Provincial Revenue, was read for  
the third time.

Resolved, That the Bill do pass, and the title be "An Act to provide  
for the management of the Customs and matters relative to the  
collection of the Provincial Revenue."

Ordered, That the Honourable Mr. Robinson do carry the said Bill to the  
Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the follow-  
ing Petitions were read:--

Of Jacques Lemlin and others, inhabitants and proprietors of  
steamers, and other river craft, residing in the county of Richelieu,  
praying that their craft may not be taxed at so high a rate as other  
craft plying between Montreal and Quebec.

Of Isaac Buchanan, Esquire, and others, praying that a protecting  
duty may be imposed upon American manufactured goods, imported into this

Province; and that the raw material for manufacture may be admitted at as low a rate of duty as possible.

Of Louis E. Pacaud, Esquire, Commissioner of Bankrupts for the district of Three Rivers, praying that certain duties imposed upon him, by virtue of the Act 7 Victoria, chapters 16 and 18, may be abolished; or that an indemnity be granted him for the performance of the same.

Of Love Newlove and others, of the Second Riding of the county of York, representing that the erection of a bridge at a certain part of the Mail road, called "Governor's Road," would obviate the danger which now exists in travelling the said road; and praying relief.

Of William Thompson, Esquire, and others, of the Home district, praying for the completion of Hurontario Street, and the improvement of the bridge over the river Credit.

Of Thomas Proudlock, shipwright and mastermariner, residing at Point Fortune, on the river Ottawa, praying for a grant to enable him to lay before the public, plans of certain inventions for the improvement of navigation.

Of John Healy, of the city of Toronto, a Messenger to the House of Assembly, praying for a retiring allowance, in consideration of his past services, and the present ill state of his health.

Of William Peacock, of the city of Buffalo, in the state of New York, one of the United States of America, formerly of the township of Etobicoke, in the Home District, praying that his right to a certain lot of land, in the said township, may be protected.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

High School,  
Montreal.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the High School of Montreal," without any amendment.

And then he withdrew.

(260)

Petitions  
referred.

Jos. Painchaud  
and others.

Resolved, That the Petition of Joseph Painchaud and others, Physicians and Surgeons, residing in Quebec, be referred to a Select Committee composed of Mr. Taché, the Honourable Mr. Attorney General Smith, Mr. Dunlop, the Honourable Mr. Laterrière, and Mr. Jessup,

to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

William Sheppard,  
Esquire.

Ordered, That the Petition of William Sheppard,  
Esquire, and others, trustees of the Quebec  
Turnpike Roads, be referred to the Select  
Committee to which was referred the Petition of R. G. Belleau and others,  
inhabitants and tenants in the county of Quebec, and other references.

Election 3rd  
Riding York.

Mr. Taché, Chairman of the Select Committee  
appointed to try the merits of the Petition of  
Robert Harrison and others, electors of the Third  
Riding of York, complaining of the undue election and return of James  
Edward Small, Esquire, to represent the Third Riding of the county of  
York, reported to the House, that the Committee met this morning, but  
were unable to proceed to business, in consequence of the absence of  
the Honourable Mr. Aylwin and Mr. Laurin,

Resolved, That as the Honourable Mr. Aylwin absented himself in  
consequence of illness, he be excused.

Resolved, That Mr. Laurin having sufficiently explained the cause of  
his absence, he be excused.

Private Bills.

The Honourable Mr. Morin, from the Standing  
Committee on Private Bills, presented to the  
House the eleventh Report of the said Committee, which was again read  
at the Clerk's table, and is as followeth:--

Humber Har-  
bour and Road  
Company.

Your Committee have examined the Bill to  
incorporate certain persons, under the name and  
style of the President, Directors, and Company,  
of the Humber Harbour and Road Company, and have  
agreed to certain amendments, which they beg to recommend for the con-  
sideration of your Honourable House, as follows:--

#### IN THE BILL,

Page 1, line 34.--After "Directors," insert "and Company." After "Road,"  
expunge "Company."

" 2 " 1.--Expunge "and."

" 2 " 2.--After "Directors," insert "and company." After  
"Road," expunge "Company."

" 2 " 50.--After "Aforesaid," expunge to "and," in page 3, line 2,  
and insert, "upon payment or tender, within one month



to the owner, or owners thereof, or party entitled to receive the same, the value of such property so required; and the said value shall be ascertained by the award of the said Commissioners, and by three persons to be chosen by the party whose property is to be taken, and in case they cannot agree, they shall choose an umpire, and the decision of the majority shall be final; and that reasonable notice shall be given to the person or persons whose property is intended to be taken, and if such person or persons fail to appoint three persons to act as Arbitrators, or the said Arbitrators neglect to act, then it shall be the duty of the Chairman of the Quarter Sessions of the district, together with the said three Commissioners, to make the said valuation, and the same shall be binding and final."

Page 3, line 16.--Expunge "to the Commissioners herein before named," and insert "in the manner aforesaid."

" 3 " 37.--Expunge "according to," and insert "not exceeding."

" 3 " 41.--Expunge "and not to exceed."

" 4 " 9.--Expunge this line, and insert "not exceeding."

" 4 " 42.--Expunge "thirty," and insert "ten."

" 4 " 47.--Expunge "ten," and insert "six."

" 4 " 51.--Expunge "three," and insert "seven."

" 5 lines 16, 21, and 27.--Expunge "three," and insert "seven," in each line respectively.

" 5 " 44.--After "ten," insert "but no person to have more than ten votes."

" 6 " 18.--Expunge "three," and insert "seven."

" 6 " 52.--After "thereon," insert "not exceeding one instalment."

" 7 " 30.--Expunge "five," and insert "four."

" 7 " 40.--After "shares," insert "as paid up."

" 7 " 46.--After "stockholders," expunge to "and," in line 52.

Page 8, line 49.--After "aforesaid," expunge to "the," in line 51, and insert "to have the same valued by award, in the manner herein before provided in the fourth section of this Act, which award shall determine."

" 8 " 53.--After "same," expunge to "shall," in page 9, line 2, and insert "the arbitrators named."

" 8 " 7.--After "interested," expunge the residue of the 21st clause.

" 8 " 19.--Expunge "twelve months," and insert "one month."

" 8 " 28.--After "company," insert "and to have redress from the said company, for any damages done by them."

" 8 " 48.--Expunge "other."

#### IN THE TITLE,

Line 4, expunge "company."

Petition of W.  
Reynolds and  
others.

Your Committee have also considered the Petitions of William Reynolds and others; and D. Henderson and others, praying that Pilkington Block, in Woolwich, may be annexed to the township of Nichol; and the Petition of A. D. Fordyce and others, against the annexation; and they beg to remark, that the notice given by the Petitioners in the Gazette, is scarcely definite enough, the name of the township of Nichol being incorrectly stated; but that irrespective of this objection, the late period of the Session places it out of the power of the Committee to obtain the information necessary to enable them to pronounce an opinion on the matter.

W. Boyd and  
others.

With regard to the Petition of William Boyd and others, praying that the townships of St. Vincent, Collingwood, Euphrasia, and Proton, may be constituted a separate district; your Committee have no doubt that that section of the country will eventually become very populous, and will require a separate establishment for local and judicial purposes; but they do not think the time has yet come to effect it, for, besides the opinion of your Honourable House, already pronounced, in declining to constitute the new districts prayed for in the counties of Haldimand

(261)

and Kent, your Committee think that the population about Owen's Sound, of which the Petitioners form part, have not yet sufficient means to give proper effect to the wish expressed by them.

Bronte Har-  
bour Company.

The Petitions of the Directors of the Bronte Harbour Company is signed, your Committee perceive, by only one person, styling himself Secretary to the Company, without any apparent authority from the Directors. The works already completed on the Harbour, are stated to be worth £900; but the time within which the Harbour should have been completed, having just expired, the Charter has become forfeited, and the Petitioner now applies for an extension of the time for completing the works; he does not, however, state the number of Shareholders, the amount of Capital subscribed and paid up, nor any of that detailed information which could have enabled your Committee to proceed in the matter; under these circumstances, they are of opinion, that the Company should have come better prepared before the Legislature, although they fully admit the public advantages that would result from the completion of the Harbour, and the propriety of extending the time hereafter, upon a satisfactory investigation.

On motion of Mr. Christie, seconded by Mr. DeWitt,

Administra-  
tion of Justice,  
Gaspé.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act supplementary to an Act of the last Session of the Legislature, relating to the administration of Justice in the Gaspé District, and to extend the provisions of the said Act," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

IN THE BILL,

Press 2, line 9.--Leave out from "and" inclusively, to the end of the Bill.

IN THE PREAMBLE,

Line 13.--Leave out from "as well," to "Gaspé," in the 16th line, both inclusively.

IN THE TITLE,

Leave out the words "and to extend the provisions of the said Act."

And the said amendments being again read, they were agreed to by the House.

*Ordered, That Mr. Christie do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.*

*On motion of Mr. Williams, seconded by Mr. Webster,*

*Religious Societies Relief.*

*Ordered, That the amendments made by the Legislative Council to the Bill, intituled "An Act to extend the provisions of a certain Act of the Parliament of the Province of Upper Canada, (passed in the ninth year of the reign of His late majesty, King George the Fourth, intituled, 'An Act for the relief of the religious societies therein mentioned,') to other denominations of Christians, than those therein enumerated," be now taken into consideration.*

*The House proceeded accordingly to take the said amendments into consideration.*

*And the said amendments were read, and are as followeth:--*

*IN THE PREAMBLE,*

*Line 12.--After "mentioned," insert "as amended by a certain other Act, of the Parliament of the said Province, passed in the third year of Her Majesty's Reign, intituled, 'An Act to amend an Act, passed in the ninth year of the Reign of King George the Fourth, chapter 2, intituled, 'An Act for the relief of the Religious Societies therein mentioned.'"*

*IN THE TITLE,*

*Line 1.--Leave out "a certain Act," and insert "two certain Acts."*

*Line 2.--Leave out from "passed" to "mentioned," in the 4th line inclusively.*

*Ordered, That the further consideration of the said amendments be postponed until Monday next.*

*Niagara Incorporation.*

*Ordered, That the Bill to incorporate the town of Niagara, and to establish a Police therein; and the Bill to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a plank road from a certain place in Niagara,*

*Niagara Plank Road Company.*

*to the Ten Mile Creek, in Grantham; be severally read a second time on Monday next, and that they be then the first and second Orders of the Day.*



MR. HALL<sup>1</sup> ((moved)) that there be published for the use of members, 1,000 copies in each language, English and French, of the Report of the Board of Works and its appendix<sup>2</sup> .

MR. INSPECTOR GENERAL ROBINSON objected to the printing of so large a number, on account of the expense.<sup>3</sup>

M. LAFONTAINE s'est levé pour déclarer qu'il appuyait la motion de M. Hall; que la loi voulait que ce rapport fut mis devant la chambre dans les 15 premiers jours de la session; qu'il n'y était que depuis hier après deux mois et demi révolus; et qu'il y était d'une manière informelle; qu'on n'avait pas pris la peine de répondre à l'adresse de la chambre à ce sujet, et qu'on avait mis ce rapport sur la table comme s'il se fût agi de tout autre chose que demandait la chambre par son adresse; que par imprévoyance on exposait la province à des dépenses énormes en ne publiant pas d'abord le nombre suffisant d'exemplaires; que pour satisfaire à la demande de M. Hall il faudrait faire une nouvelle impression de ce rapport, et une troisième pour l'appendice; qu'il espérait que ce rapport serait imprimé de manière à pouvoir former partie de l'appendice, sans obliger le pays à une troisième et énorme dépense, etc.<sup>4</sup>

The Attorney-General ((MR. JAMES SMITH)) said, that the object in getting a small number of Reports printed at first was to expedite the work. The old proverb that "those who try to please all, please none," was never better exemplified than during the present session. Every effort had been made, by the administration, to have this Report laid on the table as expeditiously as possible, and, in their anxiety to do so, it was brought down without the formality of a message, which was now charged upon them as a neglect of duty.<sup>5</sup> ((He)) then proceeded to animadvert on the petty and insignificant attacks which the last speaker and his party were constantly making against the government<sup>6</sup> , and which were only worthy, he said, of men who were discontented without a cause.<sup>7</sup> He challenged him, instead of making these attacks, to take a review of the Session, and come forward boldly with a vote of want of confidence. The Hon. gentleman had complained that only twelve measures had been brought forward that Session, but he asked him to look to the first Session when he was in power, when only one measure had been entered, and when the Ministry had taken twelve months to consider what they should do. He repeated--let him hear no more of those petty attacks, but let their opponents come boldly before the House and declare that the country had no confidence in the ministry.<sup>8</sup> Cheers.<sup>9</sup> If the decision should be against them, he for one would no longer occupy those benches.<sup>10</sup>

MR. LAFONTAINE replied in French<sup>11</sup> . Several members on the opposition benches had asked him to speak in English: he replied that it was not his way as he had often told them.<sup>12</sup> In respect to the

challenge which had been thrown down he declared that he was prepared to propose a vote of want of confidence so far as the Lower Canada members were concerned. Those members, he asserted whether French, English, Scotch, or Irish, had no confidence in the Ministry. They felt that Lower Canada was not represented in it--that it was sacrificed to Upper Canada. Such injustice, he said, could not be endured long, and ... he himself would sooner retire into private life than sit in that House to witness it! The Union had placed Lower Canada in a false position, and if things remained as they were, that Union must be repealed.<sup>13</sup>

DR. DUNLOP condemned (sic) the attempt made by the last speaker, who, he said had thrown a fire brand amongst them, calculated to create sectional distinctions which could not exist if they were not fostered by those who ought to set a better example.<sup>14</sup> ((He)) spoke of his willingness to extend all possible control to the French members over their own affairs, and said that he owed them a debt of gratitude for the manly assistance they had once rendered him, and which they might rest assured he would never forget.<sup>15</sup> The hon. gentleman afterwards referred to the Board of Works, which he said was a curse, and had been made use of to cover bribery and perjury. If that Board were allowed to go on as it had been, it would upset representative Government in the Colony, by placing such power in the hands of the ministry that they might do anything.<sup>16</sup>

In the course of the Doctor's remarks, he was interrupted by MR. CAUCHON, who put a question to him.<sup>17</sup>

"Don't grunt now," ((replied DR. DUNLOP.))<sup>18</sup> Rires.<sup>19</sup>

COL. PRINCE said he had only entered the House when the honorable member for Terrebonne was in the midst of his speech, and what induced him to show so much animation he could not say.--He supposed, however, that there were some grounds for it. He was, however, very sorry to hear him say that Lower Canada had been sacrificed to Upper Canada, and would ask him in what respect that had been the case. His own opinion was that the Union had been beneficial to both sections of the Province, and if they who were in that House only went on as they ought, it would continue to work well, but if differences of origin were kept up (and a feeling had been shown that evening which led him to fear that such might be the case) the sooner that Union was dissolved the better. He complained of the language used by the member for Huron towards the Board of Works, and said that so far from being a curse to the Province, it had been a great benefit<sup>20</sup> .

Cries of "no, no".<sup>21</sup>

((COL. PRINCE resumed:)) Hon. members said, "no, no" because their minds were poisoned by their constituents, but if they would wait till

they had considered the Report which was before them they would see that he was right. He repeated that the Board of Works had been calumniated. Statements which had been presented to him as facts had been made to him by his constituents, which on enquiring he had found to be totally without foundation, and so it was in respect to other charges. He regretted that the Report had not been laid on the table earlier, but even then there was some palliation. There were some portions of that Report which he would have liked to have brought under the notice of the House that Session, and would certainly do so next Session, if his life was spared. But, in the meantime, he trusted that no member would repeat the remarks of the hon. member for Huron. He would ask that hon. member if the Province would have got a million and a half to lay out in public works, if there had not been such a Board? It was because such a Board existed that the British Government had advanced that money. But the question was, was it well laid out? In considering that question, they ought to lay aside all mere sectional considerations, and look on the Board as a great national machine which required to be fostered, and which, he was quite satisfied, would produce great benefits to the Province.<sup>22</sup>

MR. BERTHELOT said, that it had been denied that Lower Canada had been sacrificed to Upper Canada. He did not wish to use such a strong word as "sacrifice," but he would ask one question, did the Province of Lower Canada pay the debts of Upper Canada<sup>23</sup>--

Yes, and so she ought from MR. WILLIAMS.<sup>24</sup>

((MR. BERTHELOT resumed:)) or did Upper Canada pay those of Lower Canada? In respect to the Board of Works, the Speaker referred to the statements of Adam Smith and Say, that public works were always costly, because, they were conducted without prudence, or calculation as to expense, and because those who managed them for the public had no direct interest in their success, and were always looking ((for)) how much money they could put into their own pockets, or those of their friends. He applied these authorities to the Board of Works, which he said as long as it continued to go on, would be a lesson for generations to come. He asked if it was not true that contracts had been made in an improper manner--that there had been improvidence in the expenditure -- and that the interests of the workmen employed had not been neglected? All the disturbances on the canal had ... to have retained a control over the contractors in respect to the payment and treatment of the men.<sup>25</sup>

MR. MORIN would express himself in English, (hear) as he feared hon. gentlemen on the other side might misunderstand him if he spoke in his own language. The speech of the hon. member for Terrebonne certainly did him great credit, as he defended the rights of his country without making any personal allusions. It was against the

Ministerial Benches, not against the Attorney-General or any other member of the Cabinet in particular, that he directed his eloquence; and the fact of different languages being spoken, occasioned differences of opinion which could never be thoroughly reconciled, although both sides of the house had the same object in view--the welfare of Canada; and, therefore, some indulgence ought to be made for each others peculiarities. If the members of the Cabinet who pretended to represent Lower Canada, did not do so, hon. members on this side of the House had the right of saying so, which he hoped would not be denied them and that was the purport of Mr. Lafontaine's observations. He hoped that himself and his friends were not so devoid of reason, as not to know in whom they had confidence; those members of the Cabinet who were elected by Lower Canada constituencies did not represent the mass of the population, who were really all of one origin, the reason for this might be found in past circumstances, and he would reiterate the assertion of his hon. friend, that Lower Canada was sacrificed by the Administration. For fear of disruption between the two sections of the Province, should he not be allowed to express his views, and did the same reason hold good that Upper Canadian members should govern Lower Canada? This session had lasted two months, and where is the work of Ministers? Nothing at all! Perhaps the Cabinet had not quite finished its formation; for, after it had been forming for fourteen months, when the question was asked, if it were yet complete, no definite answer was returned, but they were offered the dates of some appointments. (Hear.) The head of the Executive was in the Government for fourteen months, and yet he was not responsible to the people. Who was the leader of the Administration? no one knew, but they did know changes were constantly taking place, which showed great weakness; and he repeated, what was done as yet to gain the confidence of the House? Two months they had been in session, and certainly a great deal of business was before them, but all the time was spent in working for localities, that was not their business; they should employ themselves in examining the institutions of the country, to see if they were suited to its wants. With regard to the Board of Works, he was not much acquainted with its operations, but was inclined to view it favourably, by contrasting the present with the former manner of conducting the public works, especially in Upper Canada. It was true that Commissioners were employed to make roads, but the money was paid at the disposal of the members of Parliament, and he (sic) influenced the country according to the sum he procured. (Hear.) Committees were appointed to divide the land money, and every one scrambled to get as much as they could; "You must give me £200 to open a road from this to that concession." These roads were often badly made, of course; but, besides that, they were not taken care of, and, falling out of repair, were so much lost money. Whereas, the chairman of the Board now takes care of all the roads he makes, and takes care they shall be well situated. The hon. gentleman, in conclusion, related a curious story he had heard but could not of himself say it was correct. He was informed that one of the committee men, having



been allotted a sum of money, £80 or so, complained that he had not enough; well, said the chairman, pettishly, "I will add another cipher, will that do?" (Hear, hear, and laughter.)<sup>26</sup>

The Solicitor General ((MR. H. SHERWOOD)) thanked Mr. Morin for having spoken in English, it was a compliment paid to those members who did not understand French, to be addressed in a language they understood, when important questions were brought up. But<sup>27</sup> the member for Terrebonne had not made use of a language which he (Mr. Sherwood) understood, and which the hon. gentleman spoke perfectly well. He considered that that would have been fairer, instead of making use of a language which the majority did not understand; because, perhaps, he did not want that side of the House to hear all that he said.<sup>28</sup>

MR. DRUMMOND rose to order. It was not to be tolerated, that when an hon. gentleman addressed the House, in the language of his forefathers and in which he had made his studies ((he)) was to be charged with a wish to conceal his thoughts and especially, was such a gentleman as the hon. member for Terrebonne to be charged with improper motives?<sup>29</sup>

The Speaker ((SIR ALLAN MACNAB)) said, it was certainly out of order for any one member to attribute improper motives to another.<sup>30</sup>

The Solicitor General ((MR. H. SHERWOOD)), - Well, Mr. Speaker, if those were motives, the hon. gentlemen will here (sic) more of them; and he found that he had again to complain of Mr. Drummond misrepresenting him. He did not say that the hon. member for Terrebonne absolutely wished to conceal what he said, but perhaps that was his intention. (oh!)<sup>31</sup> In all civilized societies, it was considered a mark of propriety and good breeding in bringing a charge against an individual, to make it in a language that he understood. The hon. member for Terrebonne had burst into a rhapsody of declamation, and had charged the Ministry with sacrificing the interests of Lower Canada. He had also accused him (the Solicitor General) of having advocated the Repeal of the Union, which he now declared that on no one public occasion he ever did. How had the present Administration sacrificed the interests of Lower Canada? He called on the hon. member to name a single instance in which the Administration had done that which affected the interests of Lower Canada; without affecting the whole Province. It was very easy to make such a charge, but before making it, the hon. gentleman ought to have been prepared to prove it. It was also said that the majority in Lower Canada had not confidence in the Ministry, but that would always be the case in Representative Governments, under which there must be a party in opposition somewhere. And if the French Canadian constituencies were not more fully represented in the Ministry, whose fault was that? Had any desire been shown on the part of the Government to keep out a single member? On the contrary every effort had been made to obtain the assistance of those gentlemen who were supposed to have the confidence

of the French Canadians; but these offers had been rejected. The reply had been "no we will lend you no aid in carrying on the government of the country on a fair and equitable principle; but instead of joining your government, we will do all we can to excite discontent and bad feeling against it." He (Mr. Sherwood) considered the language just uttered by the member for Terrebonne indicative of the course he intended to pursue, and that before many months were over he would appear in a new character, as the great agitator for a repeal of the union. He repeated that if the French Canadians were not represented by the Government, it was their own fault, and that they ought not now to complain. In respect to the taunts which had been thrown against the Government for not introducing more measures, he said that if nothing occurred to interrupt the Session, he felt satisfied that they would be able to show as many useful measures as any Government which had preceded them, and that they did not want to follow the example of the last Administration who had over burdened themselves with so much legislation that they were unable to creep out of it. He asked if the Education Bill and Municipal Bill introduced by Mr. Papineau showed a desire to sacrifice the French Canadians, and concluded by predicting that all the hard thumps with which the member for Terrebonne had endeavoured to enforce his charges against the Government would do more harm to his friend than they would to the Adminis((tration)).<sup>32</sup>

MR. HALL said that if hon. gentlemen of Lower Canada would shew him by facts and figures how their part of the Province has suffered to the extent complained of, he would willingly vote for redress.<sup>33</sup>

DOCTOR TACHE, hereupon, rose and pledged his honor to produce the facts and cyphers required by Mr. Hall when the proper time would arrive, which he said was not now far distant.<sup>34</sup>

MR. BALDWIN wondered to hear the Solicitor General speak with so much warmth after the paternal advice he had given his hon. friend, (Solicitor-Generals always speak with warmth), and after the very credible display of the hon. Attorney General. On referring to the Vice Regal Speech, which he supposed they had written--perhaps not though--on referring to it he found several measures there of great importance, which as yet have not been brought before the House; certainly he did not think they had such very bad memories--at all events it would show a little respect to the Head of the Government to be somewhat more particular. Here, however was the seventy sixth day of the session, and if it were all true as stated by the Solicitor General, that these important bills were to be laid before the House this Session, it would be lucky indeed if they got home before November.<sup>35</sup>

Here MR. ((HENRY)) SHERWOOD observed that Mr. Papineau was about to give notice of the Municipal Bill.<sup>36</sup>

Well then (resumed MR. BALDWIN) I must say that on the 76th day of the session we have notice of the first measure.<sup>37</sup> Nevertheless some Government bills had been passed, and as he was unwilling to take from them that little modicum of praise which was then due, he had made a list. First, there was the bill for the Geological Survey, (hear;) and the Shipwrecked Mariners' bill. Perhaps the Attorney General felt some sort of sympathy with those unfortunate individuals, certainly very praiseworthy, as he was near shipwrecked himself. (Hear.) These were certainly all very well, but if they had taken up the speech, he thought the Attorney General certainly would have found something more worthy of his talents. To be sure there was the Customs Bill. The Lower Canada Education Bill, in which he feared some great discrepancies as to the tuition would be found; and the District Courts Bill, and the City of Toronto Incorporation Bill; he would like to know if that were a government measure, and some others beside; in short, each of the Cabinet threw in his share. He was reminded by one of his hon. friends, that he had forgotten his friend, from Megantic; he therefore asked the hon. gentleman's pardon with the utmost humility for his forgetfulness.<sup>38</sup> What he should say of him? "That hon. gentleman," said he "is like the lilly of the valley--he toils not, neither does he spin." Really we can afford to make him a present to the government. (Loud laughter.)<sup>39</sup> With regard to the question immediately before the House, he concurred in it most heartily, as it was an object of great importance to have the knowledge contained in the report of the Board of Works widely disseminated.<sup>40</sup>

((MR. CAUCHON gave a speech.))<sup>41</sup>

((MR. JOHNSTON made a few remarks.))<sup>42</sup>

MR. MOFFATT said, that the reason why he had supported the Government was because they had stood by the Governor General at a time when, in his opinion, there was a combination against him. For doing so they deserved well of the country. He had been now 45 years in Canada and had seen something of previous Governors, and could conscientiously (sic) declare that he never knew an individual better entitled to the confidence of both divisions of the Province than the illustrious person who was at present administering the Government. The hon. gentleman referred to the conduct of the late administration at the time they came into power, and said that he would have been glad to have seen the French Canadian members more numerously represented on the ministerial benches. It was their own fault that this was not the case, as every effort had been made to secure their service, which their own ultra views had rendered ineffectual. In respect to the Union, it might be possible to destroy it, but when they considered what trouble it had taken to obtain it, they should hesitate before they attempted it. Bring forward the question when they might, they would not have the

public in favour of it, because they believed it essential to the prosperity of the country. They must not be surprised if it did not give perfect satisfaction. It required time to cement it; but if those who had influence with their fellow citizens would lend their endeavours to work it out, it would eventually give satisfaction. Without pledging himself to any contract which might be made, he thought it was a matter of fair consideration whether they should interfere with the peculiar institutions of each other. He was inclined to be of opinion that such questions ought to be left to the free and unbiased judgments of those interested. In respect to the Board of Works, he censured the attacks made on it, and considered they were calculated to have a bad effect on the country.<sup>43</sup>

((MR. ROBINSON suggested that Mr. Hall modify his motion.))<sup>44</sup>

MR. HALL, altered his motion by making it 500 copies in each language.<sup>45</sup>

(261)

Board of Works.

Ordered, That five hundred copies of the Report of the Board of Works, laid before this House, on Tuesday, the eleventh instant, and of the Appendix accompanying the same, be printed in pamphlet form, with marginal notes, in each of the English and French languages, for the use of the members of this House.

On motion of Mr. Cauchon, seconded by Mr. Berthelot,

Practical Sciences.

Resolved, That a Select Committee composed of Mr. Cauchon, the Honourable Mr. Attorney General Smith, Mr. Dunlop, the Honourable Mr. Morin, and Mr. Taché, be appointed to inquire into the expediency of establishing Public Chairs for the teaching of practical sciences to the mechanical classes of the cities of Quebec and Montreal.

The Attorney General ((MR. JAMES SMITH)) accepted the suggestion, with the understanding that there was no pledge on the part of the Government to advance the funds.<sup>46</sup>

(261)

North American Colonization Association of Ireland.

Ordered, That the Honourable Mr. Moffatt have leave to bring in a Bill to give further powers to the North American Colonial Association of Ireland.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday, the twenty-fourth instant.



Outrages on  
Public Works.

The Order of the Day for receiving the Report of the Committee of the whole House, on the Bill for the better preservation of the Peace, and the prevention of riots and violent outrages at, and near, Public Works, while in the progress of construction, being read,

Ordered, That the said Bill and Report be now recommitted to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Drummond took the chair of the Committee,<sup>47</sup>

Some amendments were introduced by the Attorney General ((MR. JAMES SMITH))<sup>48</sup> .

A conversation took place with Messrs. LAFONTAINE and BALDWIN<sup>49</sup> .

(261)

and after sometime spent therein,

Mr. Speaker resumed the chair,

(262)

And Mr. Drummond reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Statements  
from Corpo-  
rations.

Ordered, That the Bill to oblige Corporations and others, specially empowered by any Act or Charter to hold real estate, to lay before the Legislature annual statements of the property so holden, be read a second time on Monday, the twenty-fourth instant.

On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. Attorney General Smith,

Municipal Laws.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the propriety of repealing the existing Municipal Laws, and adopting new provisions on that subject.

The House accordingly resolved itself into the said Committee.

Mr. Hale took the chair of the Committee,<sup>50</sup>

The Hon. MR. PAPINEAU, in a ... speech in French, moved a resolution to the effect that it was desirable to repeal the existing laws and erect new ones, giving municipal bodies power to levy rates.<sup>51</sup>

DR. TACHE addressed the House at considerable length in French.<sup>52</sup>

MR. CHAUVEAU followed in the same language.<sup>53</sup>

MR. MOFFATT said, he had disapproved of the Government law, not because he was opposed to municipal organization, but because he thought the organization it created was not municipal.--The districts were too extensive and the Councils resembled little Parliaments, which usurped powers properly belonging to the Government. He objected to the incorporation of large districts, but not to that of parishes and townships in a form which elsewhere had worked well. If the Bill was to that effect, he would support it, if otherwise it would be a failure like its predecessors.<sup>54</sup>

MR. COLVILLE expressed similar sentiments. The districts were so large that they assembled people from a distance little associated with one another and with local interests. He would support any measure for letting the people in each locality tax themselves, or let it alone if they pleased.<sup>55</sup>

MR. PAPINEAU explained.<sup>56</sup>

MR. CAUCHON spoke in French.<sup>57</sup>

The resolution was then carried unvariably (sic).<sup>58</sup>

(262)

*and after sometime spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Hale reported that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received on Monday next.*

MR. BALDWIN<sup>59</sup> moved, that the name of Mr. Macdonald, of Stormont, be added to the committee, on the petition of Donald Cameron.<sup>60</sup>

MR. JOHNSTON amid some laughter, supported this motion<sup>61</sup>.

(262)

Petition of  
Donald Cameron,  
of Thorah.

Ordered, That Mr. Macdonell, of Stormont, be  
added to the Select Committee, to which was  
referred the Entries in the Journals of the  
Second Session of the Twelfth Provincial

Parliament of the late Province of Upper Canada, which relates to the  
Petition of Donald Cameron, of the township of Thorah, in the North  
Riding of the county of York; and the Report of the Select Committee,  
to which the same was referred, dated 12th April 1836, and other  
references.

Humber Har-  
bour Com-  
pany.

Ordered, That the Bill to incorporate certain  
persons under the name and style of the  
President, Directors, and Company of the  
Humber Harbour and Road Company, as reported  
by the Standing Committee on Private Bills, be committed to a Committee  
of the whole House on Monday next.

Elementary  
Education.

The Order of the Day for the House in Com-  
mittee, to consider the expediency of imposing  
a tax or rate, for the purposes of providing for  
Elementary Instruction in Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Watts took the chair of the Committee,<sup>62</sup>

MR. PAPINEAU again addressed the House in French.<sup>63</sup>

((There were a)) few words from MR. BALDWIN and MR. CAUCHON<sup>64</sup> .

A resolution ... ((was)) passed concurring in the principle of the  
Bill.<sup>65</sup>

(262)

and after sometime spent therein,

Mr. Speaker resumed the chair,

And Mr. Watts reported that the Committee had come to a Resolution,  
which he was directed to submit to the House, whenever it shall be  
pleased to receive the same.

Ordered, That the Report be received on Monday next.

British Plan-  
tation Vessels.

The Order of the Day for the House in Commit-  
tee on the Bill to secure the right of property  
in British plantation vessels navigating the

inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled "An Act for the registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

*The House accordingly resolved itself into the said Committee.*

*Mr. Macdonald, of Cornwall, took the chair of the Committee,*<sup>66</sup>

The Attorney General ((MR. JAMES SMITH)) briefly explained its objects, and moved the adoption of the first clause.<sup>67</sup>

(262)

*and after some time spent therein,*

*Mr. Speaker resumed the chair.*

*And Mr. Macdonald reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Monday next.*

Office of Surveyor General.

*The Order of the Day for the second reading of the Bill to abolish the office of Surveyor General, and to provide for the performance of the duties of that office by the Commissioner of Crown Lands, being read,*<sup>68</sup>

MR. PAPINEAU moved that the bill to consolidate the office of Surveyor General with that of Commissioner of Crown Lands be read a second time.<sup>69</sup>

MR. THOMPSON objected to the present proposal of abolishing the office of Surveyor General, and begged to know how that office was to be controlled, and its duties managed hereafter.<sup>70</sup>

MR. GOWAN said that he did not see the necessity for maintaining the distinction between the two offices, and really it was a matter of no importance whether the Surveyor General's office was merged into that of the Crown Lands Commissioner's, or whether the Crown Lands Commissioner's were merged into that of the Surveyor General, as long as the duties of both were going into one hand. The necessity for the change was obvious to all who had any business to transact at either office. He had in the beginning of the Session, called the attention of the house to the delays and trouble in that office, and it was hardly possible to describe all the abuses that reigned there; every one felt the abominably disgraceful way in which business was managed, or rather mismanaged, there; and he could not help contrasting it with the mode



followed in the Canada Company's Office. That Company, and even some private individuals--Mr. Street, for instance, held as much wild land as the Crown did, and yet their lands were managed better than those of the Crown. With them, if a party made a purchase, he could get his title at once, but if he purchased from the Crown, he had to employ agents at the Seat of Government, to memorialize the Governor General, and follow his application from office to office, and he might be very glad if in three or four years he obtained a patent. He was glad to see the proposal to unite the offices in question, but he hoped that the reform would not stop there, but that a complete change would be made throughout the department. It seemed to him that the people employed tried to make business for each other.<sup>71</sup>

DR. DUNLOP said that the fact really was, that the hon. gentlemen opposite opposed the change, and proposed retaining the Surveyor General's office, because they thought that the present hon. Commissioner for Crown Lands, would then be obliged to resign.--<sup>72</sup>

No, no from the opposite side.<sup>73</sup>

He ((DR. DUNLOP)) had no doubt of it. The Canada Company's lands were so well managed, that in the course of 18 years, only two instances had occurred of the same lot being sold twice.<sup>74</sup>

MR. BALDWIN entirely repudiated the aspersion, which had been cast upon that side of the house. His object was not to prevent the amalgamation of the two offices, but to dissent from the propriety of abolishing the more ancient office of Surveyor General. As far as it was a matter of economy, he was happy to unite in doing away with any unnecessary office, but he looked upon the Surveyor General's as of much more importance than the Commissioner of Crown Lands. But he must warn the ministry against that short lived economy, which involved the country ultimately in increased expenditure.<sup>75</sup>

Hon. Inspector General ((MR.)) ROBINSON said, that the business of the office was now to sell not to survey, because the lands were now all surveyed, and was satisfied that a great saving of time and annoyance to the public in getting their deeds would be made by the change.<sup>76</sup>

COL. PRINCE spoke in favour of the motion, and complained of the Crown Lands Department, as at present managed.<sup>77</sup>

MR. PAPINEAU thought that the two offices were so intimately connected that their amalgamation was very desirable, and would prevent a deal of trouble which at present grew out of the constant reference from one office to another.<sup>78</sup>

MR. MORIN was favourable to the union of the two offices, and spoke of the difficulty of conducting them with anything like propriety while apart. The hon. member said that during his time, the Crown Lands Department in its management was most difficult, because of how ill-defined were the relative duties of the two offices and the constant doubt which was entertained as to which was the superior Department.<sup>79</sup>

MR. WATTS severely criticised the management of the Crown Land Department. He did not mean to say that its faults originated with the present ministers, but only those who had been connected with it could have any idea of the miseries it occasioned. They actually did not know, when money was rendered to them, to what fund to convey it. The greatest confusion of titles, and misery to individuals, resulted. He recommended, as a remedy, to have one set of rules for all agents, and no exceptions.<sup>80</sup>

MR. HALL did not think the individual who filled the office of Surveyor General was of any importance whatever, as the office had been conducted by the chief clerk. He objected also to the office of Registrar. It ought to be abolished and the patents signed in the same office by the clerk who issued them. He attributed no blame to the present or late administration, but there was a strong feeling of dissatisfaction throughout the country, while nothing was more easy than to afford a remedy. People were now bandied from office to office, and it actually cost more trouble to buy land there than the land was worth. He thanked the Commissioner of Crown Lands (Mr. Morin) for his kind and courteous conduct to himself personally, when he was charged, because he was a political opponent of the District Surveyor, 1500 dollars for a lot of land similar to one which had been charged £25 to another person. The hon. gentleman detailed the certificates he had met with and the prompt remedy afforded him by Mr. Morin, who struck off 700 dollars, but of the balance he was still wronged.--(Hear, hear.)<sup>81</sup>

(262)

*The said Bill was accordingly read, and ordered to be engrossed.*

Agriculture,  
Lower Canada.

*The Order of the Day for the House in Committee on the Report of the Select Committee appointed to enquire into the expediency of amending the laws relative to the encouragement of Agriculture in Lower Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Colville took the chair of the Committee, and after some time spent therein,*

Mr. Speaker resumed the chair,

And Mr. Colville reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received, on Monday next.

Inferior dis-  
trict of Gaspé.

The Order of the Day for the second reading of the Bill to repeal two certain ordinances therein mentioned, relating to winter roads in that part of the Province, heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec, to the parish of Nicolet, on the south side of the river St. Lawrence, and to the town of Three Rivers inclusively, on the North side, being read,

The second reading ... ((was)) moved by MR. LAURIN<sup>82</sup>.

It was opposed by MR. ARMSTRONG, who said that a report from another Committee was now before the House, and that a Bill would be introduced granting everything the hon. member required.<sup>83</sup>

A discussion took place as to whether the Bill should be withdrawn or not, ((in particular)) between ((MR. ARMSTRONG)) the member for Berthier and MR. CHAUVEAU<sup>84</sup>.

In the course of some remarks on the best means of preserving good roads, DR. NELSON said that he had formerly entertained an opinion, that it was impossible to avoid cahots, but that after having resided four years in the United States, he had satisfied himself that they arose from the kind of vehicles used in Canada, and that by keeping to the double sleigh, they might be entirely avoided.<sup>85</sup>

MR. LAURIN withdrew his motion<sup>86</sup>.

(262)'

The said Bill was accordingly read, and committed to a Committee of the whole House, on Monday, the twenty-fourth instant.<sup>87</sup>

Ordered, That the remaining Orders of the Day be postponed until Monday next, and that they be then the first Orders of the Day.

Then, the House adjourned until Monday next.

FOOTNOTES - 14 FEBRUARY 1845.

1. The debate on this matter was reported by: LE CANADIEN, 24 February 1845, which extracted its report from the MORNING COURIER, of unknown date; MONTREAL GAZETTE, 20 February 1845, KINGSTON NEWS, 20 February 1845, in identical accounts except that the NEWS gave fewer speeches, and the EXAMINER, 26 February 1845, in accounts which contain some identical speeches and some which are completely dissimilar; LE JOURNAL DE QUEBEC, 22 February 1845; PILOT, 17 February 1845; LA MINERVE, 20 February 1845; and the MONTREAL GAZETTE, 15 February 1845.
2. PILOT, 17 February 1845.
3. EXAMINER, 26 February 1845.
4. LE JOURNAL DE QUEBEC, 22 February 1845.
5. EXAMINER, 26 February 1845.
6. MONTREAL GAZETTE, 20 February 1845.
7. PILOT, 17 February 1845.
8. MONTREAL GAZETTE, 20 February 1845.
9. EXAMINER, 26 February 1845.
10. MONTREAL GAZETTE, 20 February 1845.
11. IBID.
12. EXAMINER, 26 February 1845.
13. MONTREAL GAZETTE, 20 February 1845. The MONTREAL GAZETTE, 15 February 1845, reported that: "The Hon. Member, in delivering these remarks, spoke with more than usual animation, and his remarks were received with loud cries of "Hear! hear!" from his own side of the House."
14. MONTREAL GAZETTE, 20 February 1845.
15. PILOT, 17 February 1845.
16. MONTREAL GAZETTE, 20 February 1845.
17. IBID.
18. IBID.
19. LE CANADIEN, 24 February 1845.
20. MONTREAL GAZETTE, 20 February 1845.
21. IBID.
22. IBID.
23. IBID.
24. PILOT, 17 February 1845.
25. MONTREAL GAZETTE, 20 February 1845, which has been cut away, obliterating about two lines of Berthelot's speech. This passage is indicated by an ellipsis.
26. EXAMINER, 26 February 1845.
27. IBID.
28. MONTREAL GAZETTE, 20 February 1845.
29. EXAMINER, 26 February 1845.
30. IBID.
31. IBID.
32. MONTREAL GAZETTE, 20 February 1845.
33. PILOT, 17 February 1845.



34. IBID.
35. EXAMINER, 26 February 1845.
36. PILOT, 17 February 1845.
37. IBID.
38. EXAMINER, 26 February 1845.
39. MONTREAL GAZETTE, 20 February 1845.
40. EXAMINER, 26 February 1845.
41. MONTREAL GAZETTE, 20 February 1845.
42. IBID.
43. IBID.
44. IBID.
45. EXAMINER, 26 February 1845.
46. MONTREAL GAZETTE, 20 February 1845.
47. The debate on this matter was reported by: MONTREAL GAZETTE, 20 February 1845, and the BRITISH COLONIST, 25 February 1845, in identical reports. The BRITISH COLONIST is used instead of the MONTREAL GAZETTE which is quite illegible.
48. BRITISH COLONIST, 25 February 1845.
49. IBID.
50. The debate on this motion was reported by: BRITISH COLONIST, 25 February 1845, the MONTREAL GAZETTE, 20 February 1845, and KINGSTON NEWS, 20 February 1845, in identical reports, except that the NEWS omitted certain speakers entirely and gave abbreviated accounts of the speeches. The BRITISH COLONIST is used instead of the MONTREAL GAZETTE which is quite illegible.
51. BRITISH COLONIST, 25 February 1845, which noted that Papineau's speech was "long".
52. BRITISH COLONIST, 25 February 1845.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. The debate on this matter was reported by: BRITISH COLONIST, 20 February 1845, and the MONTREAL GAZETTE, 25 February 1845, in identical accounts. The BRITISH COLONIST is used instead of the MONTREAL GAZETTE which is quite illegible.
60. BRITISH COLONIST, 25 February 1845.
61. IBID.
62. The debate on this matter was reported by; MONTREAL GAZETTE, 20 February 1845, KINGSTON NEWS, 20 February 1845, and the BRITISH COLONIST, 25 February 1845, in identical reports. The BRITISH COLONIST is used instead of the MONTREAL GAZETTE which is quite illegible.
63. BRITISH COLONIST, 25 February 1845.
64. IBID.
65. IBID.

66. The following was identically reported by: BRITISH COLONIST, 25 February 1845, KINGSTON NEWS, 20 February 1845, and the MONTREAL GAZETTE, 20 February 1845. The BRITISH COLONIST is used instead of the MONTREAL GAZETTE, which is quite illegible.
67. BRITISH COLONIST, 25 February 1845.
68. The debate on this matter was reported by: BRITISH COLONIST, 25 February 1845, the MONTREAL GAZETTE, 20 February 1845, and KINGSTON NEWS, 20 February 1845, in identical accounts, except that the NEWS omits certain speakers and gives abbreviated accounts of some speeches, and the PILOT, 19 February 1845, which is sometimes identical, sometimes longer, sometimes shorter. Whenever selections are made from the identical reports in the MONTREAL GAZETTE and BRITISH COLONIST, the latter is reproduced because the MONTREAL GAZETTE is very difficult to read.
69. BRITISH COLONIST, 25 February 1845.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. PILOT, 19 February 1845.
78. IBID. BRITISH COLONIST, 25 February 1845 noted that he and the following speaker, Mr. Morin, spoke "at considerable length".
79. IBID.
80. BRITISH COLONIST, 25 February 1845.
81. IBID.
82. MONTREAL GAZETTE, 20 February 1845.
83. IBID.
84. IBID.
85. IBID.
86. IBID.
87. However, the MONTREAL GAZETTE, 20 February 1845, reported that: "The Bill was referred to the Select Committee appointed already sitting."

MONDAY, 17 FEBRUARY 1845.

(263)

Member for  
County of  
Kent.

MR. SPEAKER informed the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery, a certificate of the election of a Member for the county of Kent, in the room of the Honourable Samuel B. Harrison, who, since his election, hath accepted the office of Judge of the Home District Surrogate Court.

Province of Canada.

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY,  
Montreal, 15th February, 1845.

This is to certify, that in virtue of a Writ of election, dated the eleventh day of January, last passed, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer, for the county of Kent, (George W. Foote, Esquire,) for the election of one Member to represent the county of Kent, in the present Parliament, in the room of the Honourable S. B. Harrison: Joseph Woods, Esquire has been returned as duly elected accordingly, is appears by the return to the said Writ, dated the seventh day of February instant, which is lodged of record in my Office.

FELIX FORTIER,  
Clerk of the Crown in Chancery.

To W. B. LINDSAY, Esquire,  
Clerk of the Legislative Assembly.

Petitions  
brought up.

The following Petitions were severally  
brought up, and laid on the table:--

By Mr. Colvile, the Petition of the Reverend W. Brethour and others, members of the Church of England, in Ormstown, in the county of Beauharnois.

By Mr. Gowan, the Petition of the Municipal Council of the district of Johnstown, (relating to assessment of lands).

By Mr. Smith, of Wentworth, the Petition of John Henry and others, of the township of Glanford, in the district of Gore; and the Petition of John Steele and others, of Brantford.

By Mr. Murney, the Petition of Miles O'Reilly and others, members of the United Church of England and Ireland, in the town of Hamilton, (relative to Common Schools).

By the Honourable Mr. Robinson, the Petition of the Municipal Council of the district of Simcoe, (relating to the "Old survey").

By the Honourable Mr. Attorney General Smith, the Petition of the Reverend James Reid and others, members of the United Church of England and Ireland, in the parish of St. Armand, East, (relating to the Clergy Reserves); and the petition of the Reverend James Reid and others, of the parish of St. Armand, East, (relating to King's College and McGill College).

By Mr. Dunlop, the Petition of Messieurs Thomas Hellewell & Brothers, and others, Distillers of the city of Toronto, in the Home District; and the Petition of Leonard H. Dunlop, of Montreal, (relating to the Board of Works).

By the Honourable Mr. DeBleury, the Petition of Jean F. Ouellette, of the city of Montreal.

By Mr. Bertrand, the Petition of the Reverend E. G. W. Ross and others, of the Church of England, at Rivière du Loup-en-bas, and parts adjacent, in the county of Rimouski.

By Mr. Méthot, the Petition of Etienne P. Nourrie and others, of the parishes of St. Jean Baptiste De Nicolet and Ste. Monique, in the county of Nicolet.

By Mr. Hall, the Petition of John Gilchrist, Esquire, of Peterboro'.

By Mr. Stewart, of Bytown, the Petition of L. T. Besserer, Esquire, and others, of the town of Bytown.

By the Honourable Mr. Aylwin, the Petition of the Reverend W. Chaderton and others, members of the Church of England of the chapelry of St. Peter's, Quebec, and the Petition of the Reverend R. R. Burrage and others, members of the Church of England, at Point Levi and New Liverpool, in the diocese of Quebec.

By Mr. Johnston, the Petition of Nicolas De Voyan, alias Laframboise, of Bytown.

By Mr. Macdonald, of Kingston, the Petition of the Bank of Upper Canada; of the Commerical Bank of the Midland district; and of the Gore Bank.

By Mr. Seymour, the Petition of the Municipal Council of the Midland district (relating to assessments).



By Mr. Watts, the Petition of the Reverend G. M. Ross and others, members of the Church Society of the diocese of Quebec.

By Mr. Hale, the Petition of the Reverend George Slack and others, members of the Church of England, in the townships of Granby and Milton (relating to the Clergy Reserves); and the Petition of the Reverend George Slack and others, of the townships of Granby and Milton, (relating to King's College and McGill College.)

District Courts  
Upper Canada.

An engrossed Bill to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of district Courts, in the several districts of that part of this Province, formerly Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council, and desire their concurrence.

Outrages,  
Public Works.

An engrossed Bill, for the better preservation of the peace and prevention of riots and violent outrages at and near Public Works, while in the progress of construction, was read for the third time.

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Robinson, that the Bill do pass, and the title be "An Act for the better preservation of the Peace, and the prevention of riots and violent outrages at and near Public Works, while in the progress of construction."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Brooks, Chabot, Chalmers, Chauveau, Christie, Colville, Cummings, DeBleury, Desaunier, DeWitt, Dickson, Dunlop, Ermatinger, Gowan, Guillet, Hale, Hall, Jessup, Jobin, Johnston, Lacoste, LaFontaine, Laterrière, Leslie, Macdonald of KINGSTON, M'Connell, Méthot, Meyers, Moffatt, Morin, Murney, Papineau, Powell, Petrie, Price, Prince, Robinson, Roblin, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Small, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Taschereau, Watts, Webster, and Williams.--(57.)

(264)

NAYS.

Aylwin, Cauchon, and Merritt--(3.)*So it was carried in the affirmative, and*Resolved accordingly.Ordered, That the Honourable Mr. Attorney General Smith, do carry the said Bill to the Legislative Council, and desire their concurrence.The third reading of the Bill to abolish the Surveyor General's office<sup>1</sup> ((was moved)).<sup>2</sup>

MR. JOHNSTON gave it as his opinion, that the Heads of Departments could never perform their duties satisfactorily so long as they sit in the House. He could not allow himself or his constituency to be trifled with any longer by the Crown Lands Department; and was sure that if a committee were appointed to investigate the matter, they would find something wrong in it.--Why, he received a letter the other day from another of his constituents, telling him that application was made for some information more than two years back, to which no answer was received as yet. His plan would be, to give the Attorney and Solicitor Generals seats in the House, and that he would allow them, without recording a vote in their favour, (hear,) as it was necessary they should look after the laws, and give them such a knowledge of the other departments as would enable them to answer all questions put to them.<sup>3</sup>

The Att. General ((MR. JAMES SMITH)) said that with regard to Heads of Departments being in the House, it was a question for future consideration how far their having seats in Parliament could be dispensed; but for the purpose of carrying out Responsible Government as they found it laid down on coming into office, it was his own opinion that they should have seats in the House, for the purpose of explaining the working of their several Departments, having at the same time competent Deputies capable of conducting the office in their absence. But it was perfectly evident that these gentlemen could not be in every part of the province to superintend the working of their Departments, even if they had not seats in Parliament, and that complaints in consequence necessarily would arise.<sup>4</sup>

MR. MURNEY was opposed to the introduction of Responsible Government into the Colony, and he was also much opposed to the Heads of Departments having seats in the House, as he could not see how they could rightly perform their proper duties whilst engaged in politics. However, as the principle of Responsible Government was introduced

into the country, he would like to see it get a fair trial, and consequently would not at the present day object to those officers having seats. And as they could not attend to their duties themselves, they should be held fully responsible for their discharge by their deputies; it was their own fault if they did not procure fit and proper Deputies. He objected strongly to any investigation being made into these offices, as proposed for the member for Carleton, without some specific charge being made against the Head, which had not been done; and he seized the opportunity to bear testimony to the highly satisfactory manner in which the Crown Lands Department was conducted by the hon. gentleman, who last filled the situation; and from whom he had always received immediate attention when frequently engaged in the transaction of business with that office. He objected to imposing a greater responsibility on the Head of the Crown Lands Department than is already required of him. The agents in different parts of the Province certainly have large securities for the faithful performance of their duties but sums of money far surpassing the amount of their securities pass through their hands from month to month, and would it be just to make the Head of the Department responsible for all the money passing through their hands? If that were attempted, it would require a man of great moral courage to assume the office; when it was recollected that he could not by any possibility have a knowledge of all the persons employed throughout the Province.<sup>5</sup>

MR. BALDWIN would not pretend to say whether it would be more advantageous for the country, that the heads of departments should or should not have seats in the House. That could only be decided by time and experience for it was evident, that every day would make hon. members on both sides of the House better acquainted with the principles they were now bound to carry out under the new system of Government. To propose that the head of that most important office (the Crown Lands Office) should not have a seat in Parliament, would, according to his ideas, be acting against the principles that have been acted on since the Union, it being absolutely necessary that all heads of departments should be enabled, by sitting in Parliament, to answer all questions which the representatives of the people find it necessary to ask; it was out of the question to suppose that other officers of the Crown could answer such questions, as they would be obliged to neglect their own duties, which are quite sufficient to employ all their time, to enquire into the affairs and minutiae of the others. With regard to the disposal of the office of Surveyor General, its abolition was a mere circumstance arising out of the state of the country, it was looked upon as a necessary office in the time of Lord Sydenham, and if it were not found to be so at the present day of course there could be no difficulty in doing so. As regarded making any provision for the late Surveyor General that was of course a matter of prerogative, in which the crown alone could act;

while that was still under observation, he would remark, however, that it was singular the Government made no provision for another distinguished individual, who for a long period of time enjoyed the confidence of the people, but was now left for weeks--aye during the whole of the session--without any effort being made in his behalf. He put it to the learned Attorney General, he put it to the Inspector General, whether this was consistent with principle and precedent? And while he complained of the tardy actions of the Government in this matter, he remembered the manner in which the Att. General met him at the beginning of the session, when he put some questions on this point. The Att. General replied to him then, and he acquiesced in the answer, that the fourteen days within which seats could be vacated, after the opening of the House, had not yet expired. (Hear.) What was the obvious meaning of that reply, which if he remembered aright was received with a cheer from the Ministerial Benches? (Hear.) It would appear from that reply that it was the intention of the Ministry to make some provision for that hon. member as soon as the forms to be observed in such cases would admit. Well, since that, a vacancy had occurred at Saguenay, and rumor did at that time report that he was about to try and get in there.<sup>6</sup>

"It was tried, but it was no use."<sup>7</sup>

((MR. BALDWIN resumed:)) Well, it was tried: an attempt really was made; but it appeared he met with little encouragement. (Hear.) That chance being lost, a vacancy occurred in Kent.--Well, it was said the venerable gentleman to whom he alluded, would be put in there. The gentleman who represented that county last session, was a warm supporter of the present Government, having always voted in opposition, and he (Mr. Baldwin) had not the slightest doubt in his mind that provision would be made there for this old gentleman. He was mistaken; well, another vacancy occurred for the town of London. He was then raised on the very tip toe of expectation. Surely, said he to himself, now then the Hon. D. B. Viger is going to get a seat.<sup>8</sup>

MR. HALE--No, you didn't think so.--(Hear, hear, and laughter.)<sup>9</sup>

MR. BALDWIN continued--But instead of his expectations being realized, what was his astonishment to see another hon. gentleman who should have taken his seat here at the first, precipitately resign in another body, and go up to London, where, as he told his constituents, the principles of responsible government were to be carried out to their fullest extent; and to warrant this most extraordinary mode of conducting the Government, the Solicitor General told them that there is a precedent in the time of the first Henries--no, he believed Edward the Fourth--of an old nobleman who was degraded from sitting in the House through poverty, but, certainly, not for the purpose of leading his Majesty's Ministry. (Hear, and laughter.) He had his eye for some



time past, on the great champion of the Church, one of the members for Toronto, who, he shrewdly suspected, was going to accommodate the Hon. D. B. Viger; but, really, as the Church's champion, his services were too valuable to be spared (hear, hear,) and really on running his eye along the ministerial benches, he did not know who was to be so accommodating.<sup>10</sup>

MR. JOHNSTON rose to order. The question was, should the bill for the abolishment of the office of Surveyor General be read a third time. No reference was made in the bill to Mr. Viger, or any person who was to accommodate that gentleman. (Hear, hear.)<sup>11</sup>

MR. BALDWIN continued--Knowing so well as he did the zeal with which the hon. member for Carleton supported the administration, on whom he had so extravagantly wasted the oil of comfort lately, by informing them they were incapable of the performance of their duties. (Hear.) Knowing as he had said the zeal of the hon. member, perhaps he was going to resign in favour of the President of the Executive, but really the loss of the hon. member would be so great to the House (hear, hear,) that he could wish he would not resign. However, that was a matter to be settled altogether by the hon. member and the Ministry, and the sooner they would kiss and make friends the better. He asserted that there was no precedent for the course taken by the Ministry on this occasion. The hon. gentleman to whom he alluded occupied the same position in this country as Sir Robert Peel does at home, and what would be said if Sir Robert Peel was without a seat in the House of Commons for as many weeks after the meeting of the Legislature, as our Premier is! It was perfectly absurd, it would not be tolerated at Home, nor in any other country than Canada. The course taken by the Ministry in this matter he was certain would be repented by them: even in bringing down an hon. member from another House, which showed a want of respect to that hon. body, and would leave the Administration too weak in that House. The late Ministry were of course open to the same charge, but he readily confessed that in having there only one member of the Administration they had found themselves to be much too weak.<sup>12</sup>

The Solicitor General ((MR. H. SHERWOOD)) said, he did not rise to approve or disapprove of any of the remarks made by the hon. gentleman who spoke last; but would say, with reference to the allusions made to the Hon. D. B. Viger, that the hon. member for the Fourth Riding of York, immediately after he took office under Sir Charles Bagot, was also without a seat for some time, until at length, he was accommodated in a very remote county of Lower Canada.<sup>13</sup>

MR. AYLWIN--"What of that?"<sup>14</sup>

((MR. H. SHERWOOD resumed:)) In short, there was some difficulty

in the way of the Hon. D. B. Viger; and the hon. member for the Fourth Riding of York had also encountered some difficulties.<sup>15</sup>

MR. AYLWIN - "What of that?"<sup>16</sup>

((MR. H. SHERWOOD resumed:)) What of that!<sup>17</sup>

MR. AYLWIN - "Well what of it?"<sup>18</sup>

((MR. H. SHERWOOD resumed.)) He said that the hon. member for one of the Ridings of York had met with difficulties in endeavouring to procure a seat. He went to Hastings and was defeated there, and then got returned for Rimouski, through the influence of his party, not on account of his personal qualification--with which, perhaps, no one was acquainted.<sup>19</sup>

MR. LAFONTAINE made some ... remarks.<sup>20</sup>

The Solicitor General ((MR. H. SHERWOOD)) wished the hon. gentleman would wait till his turn came - it certainly would be more decorous than to interrupt him. By the way, the hon. gentleman was defeated twice - first in one of the Ridings of York, and again at Hastings. On the other hand, the hon. President of the Executive was defeated at Richelieu, and afterwards for the County of Montreal. One hon. gentleman had lost two elections in Upper Canada - the other had lost two in Lower Canada; and he had no doubt that some constituency, with the milk of human kindness, will step forward and do Mr. Viger the same favour as was done at Rimouski for his hon. friend. With regard to the principles brought under discussion, he was fully of opinion that some scientific person should fill the office of Commissioner of Crown Lands, to answer all questions, and explain the operation of his department - having, at the same time, one of well known ability, who should not be liable to political changes, to conduct the department in the absence of the head. While he admitted that the full operation of this principle should be carried out in Canada as well as in England, he was apprehensive, that for many years to come, the same causes of complaint will exist, and the same complaint be made; and for the following reasons:--There are but eighty-four Representatives of the Province--some of these eighty-four must hold the situations of heads of departments, and it is from the introduction of this principle, that great difficulty is found in filling up these offices. For instance, very few persons will accept the office of Inspector General, and of the very few, out of those willing to take the office, who are capable of giving satisfaction, it is doubtful, perhaps, whether they can procure a seat in Parliament, in fact, that is the first question, and if it be satisfactorily made out, the fittest person is chosen, who is perhaps incapable of performing his duties in that style which is requisite. Whereas, in

England, where there are more than six hundred members of the Commons, if the present Ministry resigned, they could be replaced immediately, half-a-dozen times out of their own party, by men of great wealth and influence, whose whole energies could be directed to that one object. Exactly the same thing would take place if Lord John Russell resigned, a dozen relays of Ministers could be instantly chosen, all as he had already said, were of rank and wealth, ready to devote themselves entirely to their duties. But owing to the paucity of the population and, he spoke without any wish to depreciate (sic) the poverty of the province, it was impossible to meet so readily here with all the requisites for a Ministry. And a difficulty arises of procuring persons with seats in Parliament, who would give satisfaction; which would not be so much felt if it were possible to select from the Province at large, without it being indispensably necessary to procure a seat in the House. - (Hear.) That opinion he was forced into; he did not however make these observations to blame the system, or with deference to any former or present office holder, but merely to show the difficulties attending the selection of persons fit to fill these high offices.<sup>21</sup>

MR. AYLWIN, coincident in the view expressed by the Sol. General, and ((attacked)) Mr. Viger<sup>22</sup> .

((There was)) a general cry of question<sup>23</sup> .

(264)

Office of Surveyor General.

An engrossed Bill to abolish the office of Surveyor General, and to provide for the performance of the duties of that office by the Commissioner of Crown Lands, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the Reverend C. B. Fleming and others, members of the Church of England, in the mission of Shipton, Melbourne, and parts adjacent, in the diocese of Quebec; of the Reverend John Butler and others, of Kingsey and Durham; of the Reverend George Pyke and others, members of the Church Society of the diocese of Quebec; of J. Pangman and others, members of the Church of England, in the mission of Mascouche and places adjacent; of the Reverend William Davies and others, members of the Church of England, in the parish of St. John, in the county of Chamblly, and diocese of Quebec; of the Reverend M. Willoughby and

others, members of the Church of England, in Trinity Church, Montreal; and of the Reverend Thomas Johnson and others, members of the Church of England, in Albottsford and Rougemont, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a share of the Clergy Reserves as shall correspond with their proportion of the income arising from the same.

Of the Reverend C. Dion and others, of the parish of Bécancour, in the county of Nicolet, praying for a repeal of all the laws regulating winter carriages.

Of Messieurs Miller and Brothers, and others, of Picton, Canada West, Manufacturers of leather, praying that a certain fixed scale of duties on foreign leather may be substituted for the present ad valorem scale; and that the duty upon foreign hides may be abolished.

Of P. Fortin and others, Students of Medicine in McGill College, praying that the incorporation of the Montreal College of Medicine, petitioned for by certain medical men of the city of Montreal, be not granted.

Of John Burwell, of Port Burwell, Esquire, late Lieutenant-Colonel of Militia, praying that a grant of land may be made to those who served in the militia during the late rebellion and invasion of the Province.

Of Daniel Byrne and others, of the parish of St. Sylvester, in the county of Lotbinière, praying that the said parish may be annexed to the county of Megantic, for registration purposes only, or that the parish of St. Nicholas may be annexed to, and made the chef lien of the county of Lotbinière.

Of D. Trudel and others, of the seigniority of Batiscan, praying for a repeal of the Ordinance, to provide for the improvement of winter roads in this Province, and for other purposes.

Of William Thurber, M. D., and others, of the county of Lotbinière, praying that the Circuit Court be transferred from St. Croix to Lotbinière.

Of the Honourable L. Fiset and others, of the county of Gaspé, praying for the continuation of the road leading from Perceé to the head of the Bay Des Chaleurs.

Of A. Jones and others, members of the United Church of England and Ireland, in the township of Augusta, in the district of Johnstown, praying for the repeal of the Common School Act, and the adoption of



some system under which religious instruction may be provided.

Of the Honourable James Crooks, of the district of Gore, praying to be indemnified for the loss of a vessel, owned by him, and destroyed during the late war with the United States.

Of Henry Gold and others, of the township of Reach, in the Home district, praying for a grant to improve their main market road, called Simcoe Street; of L. Davidson and others, of the township of Brock, in the Home district; and of Alexander Campbell and others, of the township of Thora, in the Home district, praying for an aid to improve the road along the Home and Colborne boundary line, from the River Talbot to the village of Prince Albert, in Essex, including the Nonkwan Bridge.

Of Stephen Payment and others, of the parish of St. Grègoire, county of Nicolet, praying for a repeal of all the Laws regulating winter carriages.

Petitions  
referred.

J. Pangman  
and others.

Rev. W. Davies  
and others.

Rev. M. Willoughby  
and others.

Ordered, That the Petition of J. Pangman and others, members of the Church of England, in the mission of Mascouche and places adjacent; the Petition of the Reverend William Davies and others, members of the Church of England, in the parish of St. John, in the county of Chambly and diocese of Quebec; and the Petition of the Reverend M. Willoughby and others, members of the Church of England in Trinity Church, Montreal, be severally referred to the Select Committee, to which was referred the Petition of the Church Society of the diocese of Toronto.

A. Jones  
and others.

Resolved, That the Petition of A. Jones and others, members of the United Church of England and Ireland, in the township of Augusta, in the district of Johnstown, be referred to a Select Committee, composed of Mr. Jessup, Mr. Sherwood, of Essexville, Mr. Gowan, Mr. Seymour, and Mr. Webster, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

J. Healy.

Ordered, That the Petition of John Healy, of the city of Toronto, a Messenger to the House of Assembly, be referred to the Standing Committee on Contingencies.

P. Fortin and others.                      *Ordered, That the Petition of P. Fortin and others, Students of Medicine in McGill College, be referred to the Committee of the whole House on the Bill to incorporate the Montreal College of Medicine and Surgery.*

Rev. G. Pyke and others.                      *Ordered, That the Petition of the Reverend George Pyke and others, members of the Church Society of the diocese of Quebec, be referred to the Select Committee to which was referred the Petition of the Church Society of the diocese of Toronto.*

W. Thurber, M. D.                      *Resolved, That the Petition of William Thurber, M. D., and others, of the county of Lotbinière, be referred to a Select Committee, composed of Mr. Laurin, Mr. Jobin, Mr. Lantier, Mr. Guillet,*

(265)

*and Mr. Colville, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.*

D. Byrne and others.                      *Mr. Laurin moved, seconded by Mr. Bertrand, That the Petition of Daniel Byrne and others, of the parish of St. Sylvester, in the county of Lotbinière, be referred to the said Committee.<sup>24</sup>*

The Solicitor General ((MR. H. SHERWOOD)) called the attention of the speaker to the fact that the motion was written only in the French language, and contended that such a course was contrary to the 41st clause of the Union Act which require (sic) that all written proceedings of the House shall be in the English language.<sup>25</sup>

DOCTOR LATERRIERE, MR. LAFONTAINE, CHAUVEAU, LACOSTE, CAUCHON, MR. HALE and MR. LAURIN spoke against the restriction thus sought to be imposed upon the French Members of the House. The French Gentlemen ... compared the course pursued by the Solicitor General with the feeling exhibited by the House on the occasion of the adoption of Mr. Papineau's motion for an address to the Queen to do away with the clause in the Union Act, by which the English Language alone is ordered to be used in the printed proceedings of the House.<sup>26</sup>

M. LAFONTAINE ... dit en substance que la loi qui voulait empêcher un peuple de parler sa langue est immorale et nulle de fait; qu'il y avait quelque chose au-dessus de l'acte d'union, et que ce quelque chose était la capitulation de Québec.<sup>27</sup>

In reply the Solicitor General ((MR. H. SHERWOOD)) said that the question was not whether the French or English language ought to be used, but what the instructions of the Union Act were on the subject. If that Act allowed motions to be put in the French Language he was sorry that he should have made the objection; but if it did not, he should not--however unpleasant it might be to hon. gentlemen opposite--be deterred from what he considered to be his duty.<sup>28</sup>

MR. WILLIAMS said, that by the 38th rule of the House, all motions should be put in English as well as French--the rule requiring that the Speaker should read them in that language which was most familiar to him. But how could he make a selection of the motion, were it in French alone?<sup>29</sup>

MR. GOWAN asked what was the use, if the House possessed the right to make motions in French, of petitioning the Queen to grant that right as they had done the other evening. He denied that there was any want of liberality, but insisted with Mr. Sherwood that whilst the clause of the Union Act was law, it ought to be observed, and said, that he regarded these attacks on that Act as the commencement of a regular plan to obtain a repeal of the Union.<sup>30</sup>

MR. AYLWIN regretted that so much time had been lost in idle discussion, and argued that the word "proceedings" used in the clause of the Union Act did not refer to mere motions, which might be made orally, and on which the House might take no action. His view was that a motion did not become a "proceeding" till it was adopted by the House.<sup>31</sup>

M. BALDWIN, lui, était ((aussi)) d'avis que la 41me clause de l'acte d'union ne s'étendait pas jusqu'aux motions; que ces motions ne formaient réellement pas partie des documents et registres de la chambre que lorsqu'elles étaient déposées sur les feuilles du journal.<sup>32</sup>

MR. GOWAN said that if that were the case, a motion which was debated, and not adopted, would not be a part of the proceedings of the House at all.<sup>33</sup>

M. MORIN dit que c'était de ces lois contre nature auxquelles il ne fallait pas faire attention; qu'il fallait ne pas les voir et agir comme si elles n'existaient pas.<sup>34</sup>

MR. DEBLEURY, after expressing his regret that this subject should have been brought up, animadverted on the course pursued by the French members on the other side of the House, in respect to the Union. He himself had always been against that Union which would never have been carried had these gentlemen who were returned in the first Parliament, on the understanding that they would oppose it, done their

duty to their constituents, instead of accepting office under it. They ought to consider that if they had the Union to-day, it was the fault of those who, possessing power, had failed to exercise it as loyal citizens.<sup>35</sup>

The Speaker, ((SIR ALLAN MACNAB)) on giving his decision on this question, expressed his regret that he should be called to do so. The question was, whether an Hon. Member could make a motion in French. All motions when made were placed on a fyle, from which the minutes were afterwards made up by the Clerk. He considered therefore that the motion papers were a part of the proceedings of the House; and that in accordance with the 41st clause of the Union Act, they must be made in English. His opinion consequently was, that a motion could not be put in the French language only.<sup>36</sup>

(265)

*Mr. Speaker having refused to receive the said motion, on account of its being written in the French language and contrary to the forty-first clause of the Union Act,*

*An appeal was made to the House from Mr. Speaker's decision.*

((This appeal was made by MR. LAFONTAINE.))<sup>37</sup>

*The House divided thereon, and the names being called for, they were taken down as followeth:--*

*For Mr. Speaker's decision,*

*Boulton, Brooks, Chalmers, Cummings, Daly, Dickson, Ermatinger, Foster, Gowan, Hall, Jessup, Johnston, Macdonald of KINGSTON, Macdonell of DUNDAS, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Robinson, Roblin, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, and Williams--(31.)*

*Against Mr. Speaker's decision.*

*Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, DeBleury, Desaunier, DeWitt, Guillet, Hale, Jobin, Lacoste, LaFontaine, Laterrière, Laurin, Leslie, M'Connell, Merritt, Méthot, Morin, Powell, Price, Rousseau, Scott, Small, Taschereau, and Watts.--(30.)*

*So it was carried in the affirmative.*

MR. PAPINEAU ... rose to explain his reasons for ((voting as he had))<sup>38</sup> . ((He)) was literally cried down by the French Members.<sup>39</sup>



L'orateur ((SIR ALLAN MACNAB)) lui imposa silence au cri de "à l'ordre," car il était en contradiction manifeste avec les règlements. S'il voulait expliquer son vote, c'était à lui à le faire avant que la question fût mise aux voix.<sup>40</sup>

M. LATERRIERE ... ((a)) dit que rien n'était plus absurde que notre position actuelle; que l'on voyait le Haut-Canada d'un côté, rangé en bataille contre le Bas-Canada placé de l'autre côté; que toutes nos institutions étaient entre les mains d'une fébrile majorité qui exerçait un pouvoir dominateur et coupable; et que rien n'était plus capable de faire désirer le rappel de l'union qu'un pareil état de choses.<sup>41</sup>

A ces dernières paroles on entendit des rires à droite.<sup>42</sup>

M. LAFONTAINE dit lui, en réponse à ces rires sarcastiques: "Quelque ignorants qu'on nous appelle, nous ne sommes pas assez ignorants pour ignorer l'époque où il faudra demander le rappel de l'union."<sup>43</sup>

MR. MORIN also rose from his seat, and addressing the Speaker, demanded that every bill and motion brought up should be read in French. "It is your duty to do so," said the hon. member "and I insist on it."<sup>44</sup>

The Speaker ((SIR ALLAN MACNAB)) said he would certainly do so.<sup>45</sup>

(265)

D. Trudel  
and others.

Ordered, That the Petition of D. Trudel and  
others, of the Seigniorie of Batiscau, be  
referred to the Committee of the whole House

on the Bill to repeal two certain Ordinances therein mentioned,  
relating to Winter roads in that part of this Province heretofore  
Lower Canada, in so far as regards the district of Quebec, the Inferior  
district of Gaspé, and that part of the district of Three Rivers which  
extends from the district of Quebec, to the parish of Nicolet on the  
South side of the River St. Lawrence, and to the town of Three Rivers,  
inclusively, on the North side.

T. Proudlock.

Ordered, That the Petition of Thomas Proudlock,  
Shipwright and master mariner, residing  
at Point Fortune, on the River Ottawa, be referred to the Standing  
Committee on Contingencies.

On motion of Mr. Prince, seconded by Mr. Merritt,

Ordered, That the subjoined List of Witnesses (in number 334 and  
signed by the Petitioner James Durand) be added to the List of

of Witnesses of the said Petitioner, in the contested election for the West Riding of the county of Halton, and that the same be forwarded to the Petitioner forthwith at Guelph:--

LIST OF ADDITIONAL WITNESSES

Halton con-  
tested Election.

Required by the Petitioner, JAMES DURAND,  
Esquire, on the Trial of the Contested  
Election for the West Riding of HALTON,  
before the Commissioners:--

NAMES.	RESIDENCE.
William Henry, Farmer	Waterloo.
Thomas M'Bride, Gent.	Puslinch.
James Geddes, Gent.	Hamilton.
John Martin	do
Francis Esson	do
George Gray	do
Fearlie Milne	do
Robert Peters	do
Peter Grassie	do
George Reives	do
Hugh Black	do
John Mutier	do
Samuel Owens	do
Ephraim Land	do
Peter Burkhart	do
William Kilpatrick	do
Alex. Moir	do
Thomas M'Quaker	do
William M'Kay	do
Gregor M'Gregor	do
James Girry	do
Edward Kesson	do
Peter Dealie	do
John Mirmie	do
James Foster	do
Robert Mallagon	do
Alex. Cowie	do
James Haliken	do
Samuel Broadfoote	do
Archibald Cummings	do
Robert Scott	do
William Cooper	do
John Masson	do
Barney M'Carle	do

<i>James Gill</i>	<i>do</i>
<i>Thomas Watt</i>	<i>do</i>
<i>William Beattie, senior</i>	<i>do</i>
<i>Bartholomew O'Conner</i>	<i>do</i>
<i>Robert Wilson</i>	<i>do</i>
<i>Thomas Dow</i>	<i>do</i>
<i>James Dow</i>	<i>do</i>
<i>John Orr</i>	<i>do</i>
<i>Abraham J. Flewelling</i>	<i>do</i>
<i>John Steven</i>	<i>do</i>
<i>Francis Maitland</i>	<i>do</i>
<i>Henry Smith</i>	<i>do</i>
<i>William Everett</i>	<i>do</i>
<i>Maurice Cushing</i>	<i>do</i>
<i>Robert Scott, (2d)</i>	<i>do</i>
<i>James Skinner</i>	<i>do</i>
<i>John Beattie</i>	<i>do</i>
<i>John Miller</i>	<i>do</i>
<i>James Miller</i>	<i>do</i>
<i>Francis Headley</i>	<i>do</i>
<i>Samuel Cunningham</i>	<i>do</i>
<i>Kenedy Orr</i>	<i>do</i>
<i>Archibald Patterson</i>	<i>do</i>
<i>Peter M'Claren</i>	<i>do</i>
<i>James Cowie</i>	<i>do</i>
<i>Lewis Felker</i>	<i>Garrafraxa</i>
<i>John Felker</i>	<i>do</i>
<i>George Stewart</i>	<i>do</i>
<i>John Wilkie</i>	<i>do</i>
<i>David Black</i>	<i>do</i>
<i>George Mathews</i>	<i>do</i>
<i>John Wilkie (2d)</i>	<i>do</i>
<i>John Moffatt</i>	<i>do</i>
<i>John Bishop</i>	<i>do</i>
<i>Francis Esson</i>	<i>do</i>
<i>John Strachan</i>	<i>do</i>
<i>Andrew Gerrie, junior</i>	<i>do</i>
<i>Jesse Meredith</i>	<i>do</i>
<i>Alexander Hutchenson</i>	<i>do</i>
<i>Robert Nichol</i>	<i>do</i>
<i>Archibald M'Millan</i>	<i>do</i>
<i>John Corbet</i>	<i>do</i>
<i>John Campbell</i>	<i>do</i>
<i>John Wilson</i>	<i>do</i>
<i>William Campbell</i>	<i>do</i>
<i>John Craig</i>	<i>do</i>
<i>Robert Collier</i>	<i>do</i>
<i>William Carson</i>	<i>do</i>

Robert Brash	do
Richard King	do
James Donaldson	do
Isaac Woolner	do
John Wallace	do
Richard Patterson	do
William G. Price	do
Philander M'Gregor	do

(265)

Alexander Barr	do
James Hill	do
William Hamilton	Eramosa
William Lark	do
James Gerow	do
Hugh M'Donald	do
John Blakely	do
John Goble	do
Idan Goble	do
George Sacket	do
David Sheltiz	do
William Brown	do
Robert Grindal	do
Robert M'Williams	do
Doctor Cobbin, land in Eramosa, lives in Trafalgar.	
Samuel Balls	Eramosa
Hugh M'Culloch	Guelph
John Wilson	do
Richard Greet	do
William Wilson	do
Jonas Eby	do
Joseph Cook	do
Edward Thompson	do
Richard Jones	do
William Gibson or Gibbon	do
Daniel Linderman	do
Robert Day	do
Robert Hadding	do
David Allen	do
William Armstrong	do
Frederick Wilson	do
Richard Whitesides	do
John O'Hatt	do
Hugh Henry	do
Isaac Newton	do
Samuel Moore	do
William Jones	do
Jeffry Lynch	do
Samuel Wilson	do
Thomas Orr	do



<i>William Henry Parker</i>	<i>do</i>
<i>Thomas Hanslip George</i>	<i>do</i>
<i>James Hough</i>	<i>do</i>
<i>Walter King</i>	<i>do</i>
<i>John Lynch</i>	<i>do</i>
<i>Joseph Dyson</i>	<i>do</i>
<i>George Davis, junior</i>	<i>do</i>
<i>Robert Smith</i>	<i>do</i>
<i>Archd. M'Kerkindale</i>	<i>do</i>
<i>George Norris</i>	<i>do</i>
<i>John H. Saunders</i>	<i>do</i>
<i>Andrew M'Crae</i>	<i>do</i>
<i>Francis Marriott</i>	<i>do</i>
<i>James Davie</i>	<i>do</i>
<i>Robert Hadding</i>	<i>do</i>
<i>Thomas Wood, junior</i>	<i>do</i>
<i>Pringle Speirs</i>	<i>do</i>
<i>Nathaniel Croft</i>	<i>do</i>
<i>Thomas Hinds</i>	<i>do</i>
<i>Ralph Hinds</i>	<i>do</i>
<i>William Bridget</i>	<i>do</i>
<i>James Thorpe Dundas</i>	<i>do</i>
<i>Thomas Keatting</i>	<i>do</i>
<i>James Nevills</i>	<i>do</i>
<i>James Wilson</i>	<i>do</i>
<i>Arthur Oliver</i>	<i>do</i>
<i>Jonathan Green</i>	<i>do</i>
<i>Edward Harland</i>	<i>do</i>
<i>Thomas Rees Brock</i>	<i>do</i>
<i>William Harland</i>	<i>do</i>
<i>William M'Ewen</i>	<i>do</i>
<i>Robert Moffatt Richardson</i>	<i>do</i>
<i>John Fife</i>	<i>do</i>
<i>Henry Richardson</i>	<i>do</i>
<i>Charles Watson</i>	<i>do</i>
<i>Henry Heard</i>	<i>do</i>
<i>Edward M'Ellistram</i>	<i>do</i>
<i>Thomas Jones</i>	<i>do</i>
<i>Alexander M'Intosh</i>	<i>do</i>
<i>Thomas Lindsay</i>	<i>do</i>
<i>Daniel Gilkerson, lives at Hamilton, Woolwich.</i>	
<i>Daniel Wallace</i>	<i>do</i>
<i>William Mann</i>	<i>do</i>
<i>Robert Smith</i>	<i>do</i>
<i>William Craig, lives at Ancaster, land in Waterloo.</i>	
<i>George Davidson</i>	<i>do</i>
<i>William Jardins</i>	<i>do</i>
<i>John Sherrington</i>	<i>do</i>

William Dalman	do
Stephen Washburne	do
James Macklem	do
Archibald Vance	do
Andrew Ferguson	do
William M'Kersey	do
James Hewer	Puslinch.
Ebenezer Reede	do
John Segrist	do
Conrad Swalzenberger	do
George Weltzedon	do
George Stetter	do
Simon Patterson	Dumfries.
John H. Parsons	do
Thomas Westwood	do
James Geddes	do
Aaron Patten	do
William M'Kenzie	do
Duncan M'Kenzie	Beverley.
Jonathan Craig	Dumfries.
Robert Middelmas	do
Henry Aussumu	do
Godlove Mort	do
John Patten	do
James Callagan	do
John L. Babcock	do
John M'Adam	do
Walter Granlock	do
John Evans	do
John Eadon	do
Richard Steadsheard	do
James Wilson, E. R.	Guelph.
Edward Newton	do
Francis Hinds	do
John M'Intosh, junior	do
John Smith Lot 8, 3d Con.	Dumfries.
M. J. Squires, Merchant	Guelph.
M. David Sturton	Puslinch.
John Hamilton	Guelph.
Martin Simson	Dumfries.
Edward Marsh	do
Andrew Prentiss	do
William Batters	do
Benjamin Wright	do
Robert Snowball	do
Friend Daton	do
John Linderman	Puslinch.
Jacob Greybill	Wilmot.

<i>Christopher Foster</i>	<i>do</i>
<i>John S. Smith</i>	<i>do</i>
<i>Thomas Johnson</i>	<i>do</i>
<i>John Johnson</i>	<i>do</i>
<i>Francis Carsin</i>	<i>do</i>
<i>John Summerville</i>	<i>do</i>
<i>John Hewett</i>	<i>do</i>
<i>William Wallace</i>	<i>do</i>
<i>George Smith</i>	<i>do</i>
<i>James Brown</i>	<i>do</i>
<i>Andrew Geddes</i>	<i>Dumfries.</i>
<i>John R. Smith</i>	<i>Wilmot.</i>
<i>Abel Miller</i>	<i>do</i>
<i>Joseph Grasser</i>	<i>do</i>
<i>Adam Durst</i>	<i>do</i>
<i>Jacob Erb</i>	<i>do</i>
<i>Richard Hook</i>	<i>do</i>
<i>Jacob Prill</i>	<i>do</i>
<i>Ludieny Eidt or Erb</i>	<i>do</i>
<i>John Eidt or Erb</i>	<i>do</i>
<i>John Wilson</i>	<i>Gueiph.</i>
<i>John Mitchell</i>	<i>do</i>
<i>Joseph Larason</i>	<i>Dumfries.</i>
<i>Purvis Larason</i>	<i>do</i>
<i>Isaac Vansickle</i>	<i>do</i>
<i>Abraham Vansickle</i>	<i>do</i>
<i>Abraham Steel</i>	<i>do</i>
<i>Joseph Steel</i>	<i>do</i>

(267)

<i>Joseph Briggs</i>	<i>do</i>
<i>John Banhan</i>	<i>do</i>
<i>Thomas Blacklock</i>	<i>do</i>
<i>Robert M'Dougall</i>	<i>do</i>
<i>Stephen Pemberton</i>	<i>do</i>
<i>David Cargill</i>	<i>do</i>
<i>William Blardell</i>	<i>do</i>
<i>Martin Simson</i>	<i>do</i>
<i>Andrew Prentiss</i>	<i>do</i>
<i>James Jackson</i>	<i>do</i>
<i>William Philip</i>	<i>do</i>
<i>Thomas Edwards</i>	<i>do</i>
<i>Anthony Marshall</i>	<i>do</i>
<i>Cornelius Clump</i>	<i>do</i>
<i>Elam Stiarson</i>	<i>do</i>
<i>Hugh Girvin</i>	<i>do</i>
<i>James Harris</i>	<i>do</i>
<i>David K. Davis</i>	<i>do</i>

James W. Davis	do
George Lee	do
Simon Smith	do
Richard Stewart	do
Augustus A. Honis	do
James Swan	do
James Nelson	Garrafraxa.
George Simson	Dumfries.
Robert Sheil	do
James Hagget	do
John Veitch	do
Dr. Sowden	do
James Hill, senior	Eramosa.
James Hill, junior	do
Levi Hawell	Dumfries.
John M'Kenzie	Beverley.
Samuel Shontz	Waterloo.
John Brabacker	do
Joseph Erb	do
John Erb	do
Joseph Morten	do
Thornton Copeman	Dumfries.
Christopher Cough or Keough	Guelph.
Thomas Louchrin	do
William Beatie	do
Timothy Quinlin	do
John Herning	do
Jonah Hawkins	Eramosa.
George Brown, Esquire	Esquesing or Trafalgar.
Edward Huxtable	Eramosa.
Thomas Calligan, Surveyor	Garrafraxa.
George Wilson	Guelph.
William Orr	do
Robert Orr	do
M. C. Keough	do
James Sturton	Puslinch.
James Hamilton	do
Robert Cranston	Dumfries.
John Mallen	do
Daniel Stannaman	do
H. V. S. Mans	do
William Graham	do
Nelson Amos	do
Benjamin Newstead	do
Simon Smith	do
Patrick Chambers	do
William Little	do



Robert Shiel	do
Robert King	do
Thomas Duncan	do
John Anderson	do
James Robertson	Nichol.
Joseph Wood	Eramosa.
Thomas Lochim	Nichol.
George Robertson	do
John Mennie	do

On motion of Mr. Williams, seconded by Mr. Petrie,

Halton con-                      Ordered, That the subjoined list of witnesses  
tested Election.                      (in number 392, and signed by the Sitting  
    Member, James Webster, Esquire,) be added  
 to the list of witnesses of the said Sitting Member, in the contested  
 election for the West Riding of the county of Halton, and that the  
 same be forwarded to the Sitting Member's agent forthwith.

#### LIST OF ADDITIONAL WITNESSES

On the part of JAMES WEBSTER, the Sitting Member for the West Riding  
of the county of HALTON:--

NAMES.	RESIDENCE.
Benjamin B. Bowman, Yeoman	Waterloo.
Abraham Toman	do
David Sharrick	do
David Gingrich	do
Isaac Y. Shantz	do
Samuel Bricker, senior	do
Adam Brown	do
David Shantz	do
Jacob Snider	do
Christian J. Snider	do
John Y. Shantz	do
John Bergey	do
Joshua Wilmer	do
William Miller	do
Joshua Huk, or Hook,	do
Jacob Jans	do
John Golman	do
Jacob Click, or Glick,	do
Jacob Lattschaw	do
John Stafford	do
Francis Ament	do
Joseph Swobe	do
Christian Enslin, Printer	do

<i>Lawrence Bertz</i>	<i>do</i>
<i>Simon Haast</i>	<i>do</i>
<i>Eli Clemens</i>	<i>do</i>
<i>Christian German</i>	<i>do</i>
<i>Anselm Wagler</i>	<i>do</i>
<i>Jacob Haas</i>	<i>do</i>
<i>Joshua Haast</i>	<i>do</i>
<i>Abraham Biehn, senior</i>	<i>do</i>
<i>Henry Brooksbank</i>	<i>do</i>
<i>John Betzner</i>	<i>do</i>
<i>Xavier Weiler</i>	<i>do</i>
<i>Jacob Clemens</i>	<i>do</i>
<i>Moses Bowman</i>	<i>do</i>
<i>Samuel Cornell</i>	<i>do</i>
<i>Valentine Gildner</i>	<i>do</i>
<i>Peter Huber</i>	<i>do</i>
<i>John Green</i>	<i>do</i>
<i>Adam Winters</i>	<i>do</i>
<i>John Henry Stroh</i>	<i>do</i>
<i>Jacob Hons</i>	<i>do</i>
<i>Abraham S. Clemens</i>	<i>do</i>
<i>Henry Moyer</i>	<i>do</i>
<i>Jacob Shantz, junior</i>	<i>do</i>
<i>Martin Shiedel</i>	<i>do</i>
<i>John Snider</i>	<i>do</i>
<i>Jacob M. Clemens</i>	<i>do</i>
<i>Levi Clemens</i>	<i>do</i>
<i>Jacob Witmer</i>	<i>do</i>
<i>Adam Shupe</i>	<i>do</i>
<i>Gotlieb Broomer</i>	<i>do</i>
<i>John Thomason</i>	<i>do</i>
<i>Henry Clymer</i>	<i>do</i>
<i>Jacob Turningworth</i>	<i>do</i>
<i>Christian Musser</i>	<i>do</i>
<i>Charles Wait</i>	<i>do</i>
<i>Jacob Huckler</i>	<i>do</i>
<i>Joshua Wendling</i>	<i>do</i>
<i>Amos M. Clemens</i>	<i>do</i>
<i>Abraham T. Moyer</i>	<i>do</i>
<i>Joseph Lanber</i>	<i>do</i>
<i>Hermanus Smith</i>	<i>do</i>
<i>Samuel Harner</i>	<i>do</i>
<i>Samuel Bowman</i>	<i>do</i>
<i>William Young</i>	<i>do</i>
<i>William Hurlot</i>	<i>do</i>
<i>John Elsley</i>	<i>do</i>
<i>Charles Aluens</i>	<i>do</i>
<i>Abraham Clemens</i>	<i>do</i>
<i>David Keist</i>	<i>do</i>

David B. Weaver	do
Abraham Moyer	do
Abraham Cressman	do
Levi Snider	do
Henry Brower	do
Christian Erb	do

(268)

Levi Bechtel	do
Michael Rose, Brewer	do
Jabez Miller	do
Abraham Kenzie	do
James Hamilton	do
John Durrant	do
Lawrence Koth	do
Henry Beamer	do
John Gugguberg	do
Christian Detwiler	do
James Ariss	do
Michael Stoltz	do
Christian Fry	do
Abraham D. Shoemaker	do
Daniel D. Shoemaker	do
Jacob Drewer	do
Henry Truer	do
John Erb	do
Thomas Hillborn	do
George Israel	do
Charles Israel	do
Stafford Clemens	do
David Shoemaker	do
Jacob D. Shoemaker	do
John S. Roads	do
Henry Croft	do
Isaac Bergey	do
George Sneller	do
Jacob Rose	do
George Huron	do
Peter Leibler	do
George Rose	do
Vincent Mozer	do
Lewis Haebale	do
Barnabas Devitt	do
Abraham Ebz	do
Samuel Fricker	do
Abraham Stauffer	do
John Zink	do

<i>Jacob Hagez</i>	<i>do</i>
<i>John Good</i>	<i>do</i>
<i>Joel Good</i>	<i>do</i>
<i>Henry N. Clemer</i>	<i>do</i>
<i>John Brubacker</i>	<i>do</i>
<i>Jacob S. Shoemaker</i>	<i>do</i>
<i>Henry Bowman</i>	<i>do</i>
<i>Christian S. Kellar</i>	<i>do</i>
<i>Henry Wismer, junior</i>	<i>do</i>
<i>Jacob Culp</i>	<i>do</i>
<i>Henry M'Nellz</i>	<i>do</i>
<i>Joshua Erb</i>	<i>do</i>
<i>Joshua Martin</i>	<i>do</i>
<i>Henry Snider</i>	<i>do</i>
<i>Henry Levargood</i>	<i>do</i>
<i>Benjamin Martin</i>	<i>do</i>
<i>Abraham D. Clemens</i>	<i>do</i>
<i>William Myers</i>	<i>do</i>
<i>Daniel K. Levan</i>	<i>do</i>
<i>Jacob Betzner</i>	<i>do</i>
<i>Samuel Bowman</i>	<i>do</i>
<i>Christian Shantz, junior, or senior</i>	<i>do</i>
<i>George Baltzer</i>	<i>do</i>
<i>Frederick Gankel</i>	<i>do</i>
<i>Samuel Bower</i>	<i>do</i>
<i>Andrew Kauffman</i>	<i>do</i>
<i>Lewis Beesby</i>	<i>do</i>
<i>George Warner</i>	<i>do</i>
<i>John Shoemaker</i>	<i>do</i>
<i>Christian Shantz, junior</i>	<i>do</i>
<i>Michael Dunkey</i>	<i>do</i>
<i>Samuel Eshelman</i>	<i>do</i>
<i>Peter Erb</i>	<i>do</i>
<i>Christian C. Snider</i>	<i>do</i>
<i>John Ebs</i>	<i>do</i>
<i>George D. Shoemaker</i>	<i>do</i>
<i>John Rose</i>	<i>do</i>
<i>James Willfound</i>	<i>do</i>
<i>Isaac Clemens</i>	<i>do</i>
<i>Joshua E. Snider</i>	<i>do</i>
<i>Ignatius Barnhard</i>	<i>do</i>
<i>Tobias Warner</i>	<i>do</i>
<i>Samuel Bricker</i>	<i>do</i>
<i>Elias Ebz</i>	<i>do</i>
<i>Samuel Ebz, senior</i>	<i>do</i>
<i>Peter Erb, junior</i>	<i>do</i>
<i>Peter Davis</i>	<i>do</i>



Henry Ernst	do
Rudolph Detwiler	do
John Binjeman	do
Jacob Lutz	do
John Clemens	do
Jacob Mercer	do
Samuel Bowman	do
Daniel Erb	do
Henry Overholtzer	do
Michael Stumpf	do
Jacob Stauffer	do
John Warner, junior	do
Christian Reist	do
Jacob Keemer	do
Henry Stricker	do
Peter Hamaker, junior	do
Isaac C. Shantz	do
Tobias Kolb	do
Peter Kunky	do
Abraham C. Clemens	do
Solomon Kutz	do
Jacob Toman	do
Peter Lebingorth	do
Isaac Masters	do
Davie Kife	do
Charles Godbold	do
John Jones, Tavernkeeper	do
Hiram Capron	Dumfries.
Michael Charlton	do
Alexander Buchanan	do
Wendal Bowman	do
Jonathan Wait, junior	do
Philo Hull	do
Solomon Gehman	do
William Sexton	do
John Bricker	do
Calvin Pine	do
Henry Clemens	do
John Bray	do
James Lawson	do
Richard Kitchen	do
Joshua Bochmer	do
Henry Kitchen	do
Philip Kelly	do
William Sovereign	do
Henry Nellis	do
Henry Lattschaw	do
William Buchanan	do

Adam Klinton	do
William Mullin	do
George Turnbull	do
Bradford Arthur	do
John Smith	do
Thomas Gad	do
Michael Showers	do
Laban Crandel	do
Hugh Finlayson	do
Horace Capron	do
John Smith	do
James Smith	do
Patrick Green	do
Thomas Davidson	do
Charles Mitchell	do
David Shantz	do
Sylvanus Whitford	do
Henry Crumback	do
Samuel Snider	do
Benjamin Rosenberger	do
Robert Carrick	do
David Brecker	do
Benjamin Hallman	do
James Bawtinhimer	do
Norman Hamilton	do
Carlton C. Smith	do
Nathaniel V. Cory	do
Eli Smith	do
Nathan Howell	do
George German	do
Samuel Latschaw	do
James Tenant	do
Benjamin Snider	do
Daniel M'Pherson	do
David Ingles	do
Benjamin C. Hearle, Printer	do
John Foster	Wilmot.
Joseph Shantz	do
John Shantz	do
Elias Snider	do
Lawrence Snider	do
John C. Shantz	do
Jonas Shantz	do
Jacob Morner	do
Jacob Durst	do
John Martin	do
Caspar Rantel	do
Hugh Jackson	do

<i>Jacob Croft, senior</i>	<i>do</i>
<i>Christian Lichty</i>	<i>do</i>
<i>Jacob Snider</i>	<i>do</i>
<i>Peter Sommer</i>	<i>do</i>

(269)

<i>William Bieldstine</i>	<i>do</i>
<i>John Erb</i>	<i>do</i>
<i>Christian Ebersoll</i>	<i>do</i>
<i>Michael Swartzenstrouber</i>	<i>do</i>
<i>Jacob Gingrich</i>	<i>do</i>
<i>Henry Wispler</i>	<i>do</i>
<i>John Shantz</i>	<i>do</i>
<i>Christian Moyer</i>	<i>do</i>
<i>Isaac Motter</i>	<i>do</i>
<i>Martin Marklinger</i>	<i>do</i>
<i>Henry Wall</i>	<i>do</i>
<i>David Snider</i>	<i>do</i>
<i>Peter Littwiler</i>	<i>do</i>
<i>Henry Harber</i>	<i>do</i>
<i>George Shultz</i>	<i>do</i>
<i>Christian Doringen</i>	<i>do</i>
<i>Michael Brand</i>	<i>do</i>
<i>David Geiger</i>	<i>do</i>
<i>Daniel Crofman</i>	<i>do</i>
<i>Peter Wilker</i>	<i>do</i>
<i>Michael Stayner</i>	<i>do</i>
<i>George Multer</i>	<i>do</i>
<i>Anthony Chopfin</i>	<i>do</i>
<i>John Shlihter</i>	<i>do</i>
<i>Christopher Norgang</i>	<i>do</i>
<i>Thomas Rodhrh</i>	<i>do</i>
<i>Jacob Gardner</i>	<i>do</i>
<i>Matthias Shafer</i>	<i>do</i>
<i>John Brememan</i>	<i>do</i>
<i>Reinard Kook</i>	<i>do</i>
<i>Michael Roods</i>	<i>do</i>
<i>Chrstian Weber</i>	<i>do</i>
<i>Jacob Brill</i>	<i>do</i>
<i>Jacob Martz</i>	<i>do</i>
<i>Peter Bricker</i>	<i>do</i>
<i>Michael Karrar</i>	<i>do</i>
<i>John Masters</i>	<i>do</i>
<i>Ignatius Gatchney</i>	<i>do</i>
<i>Alexis Snider</i>	<i>do</i>
<i>Christian Gardner</i>	<i>do</i>
<i>John Bain</i>	<i>do</i>

<i>Ulrich Geiger</i>	<i>do</i>
<i>Gotlib Grim</i>	<i>do</i>
<i>George Fray</i>	<i>do</i>
<i>Abraham Beam</i>	<i>do</i>
<i>Nicholas Lichty</i>	<i>do</i>
<i>Bernard Braner</i>	<i>do</i>
<i>Jaram Koll</i>	<i>do</i>
<i>Nicholas Detrich</i>	<i>do</i>
<i>John Stauffer</i>	<i>do</i>
<i>Frederick Kunter</i>	<i>do</i>
<i>Jacob Leibler</i>	<i>do</i>
<i>John Christner</i>	<i>do</i>
<i>Samuel Crossman</i>	<i>do</i>
<i>Jacob Walker</i>	<i>do</i>
<i>Joseph Mozer</i>	<i>do</i>
<i>Michael Kraat</i>	<i>do</i>
<i>John Ernst</i>	<i>do</i>
<i>John Myers</i>	} Agents
<i>James Argo</i>	
<i>Elisha Hewitt</i>	
<i>George Cummings</i>	<i>do</i>
<i>John Nicglin</i>	<i>do</i>
<i>Arthur Wright</i>	<i>do</i>
<i>John B. Bowman</i>	<i>do</i>
<i>Moses Weaver</i>	<i>do</i>
<i>Samuel Reist</i>	<i>do</i>
<i>Lewis Cook</i>	<i>do</i>
<i>John Detwiler</i>	<i>do</i>
<i>Levi Bowman</i>	<i>do</i>
<i>Samuel Hoffman</i>	<i>do</i>
<i>Jacob Cress</i>	<i>do</i>
<i>Ephraim Cress</i>	<i>do</i>
<i>Henry Musser</i>	<i>do</i>
<i>Burton Curtis</i>	<i>do</i>
<i>Martin C. Halfpenny</i>	<i>do</i>
<i>Peter Winger</i>	<i>do</i>
<i>John Licter</i>	<i>do</i>
<i>Arthur Nicklin</i>	<i>do</i>
<i>John Bristowe</i>	<i>do</i>
<i>Jacob J. Snider</i>	<i>do</i>
<i>Benjamin Good</i>	<i>do</i>
<i>David Hurst</i>	<i>do</i>
<i>Benjamin Snider</i>	<i>do</i>
<i>Jacob Martin</i>	<i>do</i>
<i>Daniel Weaver</i>	<i>do</i>
<i>Christian Martin</i>	<i>do</i>
<i>Christian Krapter</i>	<i>do</i>
<i>Joshua Shantz</i>	<i>do</i>

*Woolwich.*



Jesse Swartz	do
Benjamin W. Bowman	do
Samuel Ebz	do
David Mussleman	do
Peter Weaver	do
Rhodes Letson	do
Michael Canagher	Guelph.
Bernard M'Tague, junior	do
Thomas Tolton	do
James Keogh	do
Mrs. Kane	do
John Burke	do
James M'Gar	do
Robert Hadden, junior	do
John Gaffney	do
James Hudson	do
Abraham Witmer	do
Joshua Wilson	do
James Fanel	do
Samuel Rife	do
William Sunley, (voted in Eramosa)	do
Thomas Parkinson	Eramosa.
William Sunley (voted in Guelph)	do
John Hefferman, junior	do
Levi Hill	do
Joshua Parkinson, junior	do
Robert Ramsay	do
John A. Armstrong	do
James Parkinson	do
John Parkinson	do
William Oliphant	do
David Oliphant	do
Abraham Osborne	do
Jeremiah O'Connor	do
Felix M'Gin	do
Patrick Hefferman	Puslinch.
Daniel Totten	Dumfries.

Election, Third  
Riding York.

Mr. Berthelot, from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House that the Committee met on Saturday last at ten o'clock, A. M., but were unable to proceed to business, in consequence of the absence of their chairman, Mr. Taché, the Honourable Mr. Attorney General Smith, and the Honourable Mr. Aylwin; and that Mr. Berthelot was accordingly appointed chairman

pro tem, and directed to report the same to the House.

That the Committee also met this morning at eleven o'clock, but could not proceed to business on account of the absence of Mr. Taché, and Mr. Macdonell, of Dundas.

Resolved, That as Mr. Taché absented himself on account of illness, he be excused.

Resolved, That as Mr. Macdonell, of Dundas, absented himself, from unavoidable circumstances, he be excused.

Resolved, That as the Honourable Mr. Aylwin absented himself, on account of illness, he be excused.

Petition of  
J. Donegani.

The Honourable Mr. Aylwin, from the Select Committee, to which was referred the Petition of Joseph Donegani, of the city of Montreal, merchant, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have attentively examined the Petition of Joseph Donegani, of the city of Montreal, referred to them by your Honourable House, and perused the documentary evidence submitted to them in support thereof, and beg leave respectively to report:--

That the Petitioner has convinced your Committee of the truth of the statements contained in his Petition, viz: that his father, John Donegani, an Italian by birth, emigrated to Lower Canada, with his family, and among other members of it, the said Joseph Donegani, the Petitioner; that the said John Donegani settled at Montreal, where he resided until the year 1802, having in the interval acquired considerable property.

(270)

That by his last Will, dated at Montreal, the 23rd July, 1800, and a Codicil, bearing subsequent date, he constituted his three sons, one of whom is the Petitioner, his residuary Legatees, and left to his daughter, Thérèse Donegani, who had intermarried in Canada, a bequest of five hundred pounds, as her share in his Estate. That the Testator, John Donegani, departed this life at Moltrazio, in Italy, in, or about the year 1809. That under the Will and Codicil above mentioned, the Petitioner took possession of the property, real and personal, which had been bequeathed to him, and enjoyed the same uninterruptedly until the month of February, 1827, when a suit was commenced against him, in the Court of King's Bench at Montreal, by his nephews, J. A. Donegani, Joseph Donegani, and Guillaume Benjamin Donegani, the children of his sister, Thérèse Donegani, born in

Lower Canada, issue of the marriage between her and the late Joseph Donegani, her husband, both deceased: by which suit, the nephews, as grand-children, and heirs at law of their grandfather, John Donegani, claimed to the prejudice of the Petitioner, the whole of the real estate which he had taken under the said Will, Testament, and Codicil of his father.

That this claim was made to rest upon the fact, that the Petitioner was born in Italy, out of the allegiance of the Crown of Great Britain, and was precluded from taking and holding the real property of his father, under the said Will, Testament, and Codicil, being an alien born.

That the said nephews of the Petitioner prevailed in the suit, and the real estate held by him, under the Will, Testament, and Codicil of his father, was awarded to them, together with the rent, issues, and profits, by a judgment given in the said Court of King's Bench, on the 18th June, 1831.

That the Petitioner appealed from this judgment to the Provincial Court of Appeals, which Court, on the 30th April, 1832, affirmed the judgment.

That the Petitioner again appealed to the King in Council from both of these judgments, but that he was again unsuccessful in this appeal, in this last resort. The report of their Lordships, composing the judicial committee of the Privy Council, recommending the affirmance of the two judgments of the Canadian Courts, having been confirmed by His Majesty, on the 17th February 1835.

That in making their Report their Lordships adverted to the arguments urged by the Council for the Petitioner, and from the the to the Statute of the 1st William IV. chapter 53, hereinafter mentioned, which had been given subsequently to the rendering of judgment in the King's Bench. But that their Lordships conceived, that sitting as a Court of Appellate Jurisdiction merely, they were precluded from giving to the Petitioner the benefit of that Act.

Previously to the rendering of judgment in the King's Bench at Montreal, a Bill, intituled, "An Act to secure to, and confer upon certain inhabitants of this Province, the civil and political rights of natural born British subjects," being the Act above referred to, passed both branches of the Legislature of Lower Canada, and was presented for His Majesty's assent, and reserved for the signification of His Majesty's pleasure thereon: this was on the 31st March, 1831. His Majesty's assent was given to the Bill on the 12th April, 1832, and signified by proclamation on the 5th June, 1832.

The Petitioner, after the return of the proceedings at Law from the Cockpit, applied to the Court of King's Bench for redress, under the Statute 1st William IV. chapter 53, but his proceedings, which were in the nature of an audit a querela, were again unsuccessful.

It is necessary to advert now to the scope and object of this Statute, which stands on the Statute Book as the 1st William IV. chapter 53. It commences with a recital, "that it is expedient to remove by law, doubts that may have arisen as to the civil rights and titles to real estate of some of the persons hereinafter mentioned," viz: "all persons who have at any time received grants of land in this Province from the Crown, and all persons who have held any public office in the Province, under the great Seal of the Province, or under the Seal at Arms, and Sign Manual of the Governor, Lieutenant-Governor, or person administering the Government of this Province, and all persons who have taken the oath of allegiance, or being of the persons, who by the laws of this Province are allowed to affirm in civil cases, have made the affirmation of allegiance to His Majesty, or His Majesty's predecessors, before any person duly authorized to administer such oath, or affirmation, and all persons who had their settled place of abode in this Province, before the year of Our Lord, 1823, and are still resident therein, shall be, and are hereby admitted and confirmed in all the privileges of British birth, and shall be deemed adjudged, and taken to be, and so far as respects their capacity at any time heretofore, to take, hold, possess, enjoy, claim, recover, convey, devise, impart, or transmit, any real estate in the Province of Lower Canada, or any right, title, privilege, or appurtenance thereto, or any interest therein, to have been natural born subjects of His Majesty, to all intents, constructions, and purposes whatsoever, as if they, and every of them, had been born in His Majesty's United Kingdom of Great Britain and Ireland, and that the children or more remote descendants of any person or persons of either of the foregoing descriptions who may be dead, shall be, and are hereby admitted to the same privileges, which such parents or ancestors, if living, could claim under this Act."

The words "deemed, adjudged, and taken to be," as respects their capacity at any time heretofore to take, hold, and possess any real estate, as natural born British subjects of His Majesty, to all intents, constructions, and purposes whatsoever, as if they and every of them had been born in His Majesty's United Kingdom of Great Britain and Ireland, prove beyond the possibility of doubt, that the Legislature of Lower Canada, in passing this Act, intended that its operation should be retrospective.

There is abundant proof before your Committee of the long residence of the Petitioner in Lower Canada, prior to 1823, and of his full



compliance with the provisions of the Statute, to qualify him for naturalization.

The proceedings before the Courts of Justice, notwithstanding the express terms of this Statute, will have the effect of depriving the Petitioner of the rights of a British subject, to which he is by law as fully entitled as if he had been born in the United Kingdom, and of ousting him of the possession of land of which he had been in the peaceful enjoyment for nearly twenty years.

Independently of the Statute, and to view the position of the Petitioner as at law, it can be considered only as one of extreme hardship. The claims of his nephews to defeat their grandfather's will, and to demand for themselves that which he earned by his labour, and which he bequeathed and designed to give to his son, their uncle, and not to them, is inequitable on its front, and repugnant to the common principles of justice. But whatever might have been the hardship of the case, your Committee would not have deemed it competent to them to recommend the intervention of the Legislature in his behalf, if the Statute of 1st. William IV. chapter 53, had not passed both branches of the Legislature before the rendering of judgment against the Petitioner, by the Court at Montreal, and if it had not actually been proclaimed and sanctioned before the affirmance by the Privy Council of that judgment. The Statute is declaratory of the law, and is confirmatory of the past; unlike other reserved Statutes, it did not commence to take effect from and after the Proclamation by the Governor, but it related back to the very day of the birth of the Petitioner, and made him a British subject in contemplation of law, instead of an Italian, as he was born in point of fact.

Your Committee, after full consideration, conceive that the case of the Petitioner affords one of the few exceptions to the rule, that the Legislature ought not to interfere with the rights of parties litigant before the ordinary tribunals of the country. If technical forms are not only insufficient to give due protection to the rights of the Petitioner, when not only equitable and strongly based on natural justice, but confirmed by an Act of Parliament, and if, as is the case with the Petitioner, those technical forms oppose an insurmountable barrier to redress from the ordinary Courts of Justice. Your Committee

(271)

consider, that the Legislature is called upon to interfere, and to meet the justice of the case, by carrying out the intention of the Lawgiver in framing the Statute.

Your Committee would therefore respectfully recommend that the prayer of the Petition should be granted, and that the titles of all parties naturalized according to the true intent and meaning of the

Statute of 1st William IV. chapter 53, should be quieted by a new Legislative enactment. But as legal expenses have been incurred to a large amount, and an award of costs has been made by the several Courts against the Petitioner, your Committee consider it to be equitable and just that these costs should be borne by the Petitioner, and that the remedy of his nephews for their recovery be left open to them, as well as to all other parties who may be similarly circumstanced.

Ordered, That the said Report be committed to a Committee of the whole House on Wednesday next.

Agricultural Societies.

Ordered, That Mr. Webster have leave to bring in a Bill to continue an Act for the establishment of Agricultural Societies, and to encourage agriculture in the several districts in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Winter Roads.

Ordered, That the Honourable Mr. DeBleury have leave to bring in a Bill further to amend the Laws relative to Winter Roads in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Law of Dower, Upper Canada.

Mr. Murney moved, seconded by Mr. Meyers, for leave to bring in a Bill, to alter, amend, and define the Law of Dower in that part of this Province formerly called Upper Canada.

The Hon. mover ((MR. MURNEY)) said that an alteration had recently taken place in England in respect to the law of dower, which now allowed widows only to recover property of which their husbands died in possession, whereas in Canada they could recover property which had been conveyed away in the lifetime of the husband, during the coverture. Large properties had been recovered in this way, and it was an abuse he wished to see put a stop to.<sup>46</sup>

MESSRS. ROBLIN, JOHNSTON ... and COL. PRINCE opposed the motion, and were against any alteration in the existing law.<sup>47</sup>

MR. BALDWIN, in particular, referred to the difference which existed in respect to real property in England and Canada. In England, a great portion of the real property was in the hands of a class of women who were not provided for by the common law of dower, but by

special marriage settlements. In Upper Canada ... put it out of the power of married women to protect themselves, and leave them at the mercy of their husbands, however bad and profligate they might happen to be. At present, there was never any difficulty for a prudent man to get his wife to release her dower, and this was all that was necessary. He was therefore decidedly against the bill, and would vote against its introduction.<sup>48</sup>

(271)

The question having been put upon the said motion, a division ensued, and it passed in the negative.

On motion of Mr. Meyers, seconded by Mr. Hall,

Valuation of  
Lands on Canal  
Reserve, in  
Murray.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to order the proper officer to lay before this House a statement in writing of the valuation made of the lands on the canal Reserve, and other lands, in the township of Murray, in the Newcastle district; if any such valuation has been made in pursuance of a Message of His Excellency, Sir F. B. Head, then Lieutenant Governor of Upper Canada, delivered on the 26th February, 1838, in reply to an Address of the Legislature of that Province, of the sixteenth of the same month, on the subject of the utility and importance of a canal to connect the waters of the Bay of Quinté with Lake Ontario, at or near Presqu'Isle Harbour.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Small, seconded by Mr. Price,

Windsor  
Harbour.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to order to be laid before this House, with as little delay as possible, copies of all Petitions or other communications made to the Executive Government and the Board of Works, or either of them, upon the subject of the construction of Windsor Harbour, in the township of Whitby, and the contemplated road leading therefrom to Lake Scugog; with any decision had thereon or answer thereto by the Executive Government or Board of Works; together with a statement of the contracts entered into for the completion of the said Harbour and Road, and to whom such contracts have been given; the several sums at which the same have been respectively taken, and a

detailed statement of the several sums paid upon the said contracts respectively.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Meyers, seconded by Mr. Hall,

Cobourg  
Harbour.

*Resolved*, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to order the proper officer to lay before this House, an account, in detail, of all moneys expended under the authority of the Board of Works, in, and upon, the Cobourg harbour; and also, the orders in Council, or other authority under which that expenditure took place; and also, to inform this House, if any survey was made by or under authority of the Board of Works, to connect that harbour with the plank or macadamized road now being made between Port Hope and the Rice lake, and why such survey was made, and if the same proved practicable, why such connecting road was not constructed.

Port Hope and  
Rice Lake.

*Ordered*, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of Mr. Watts, seconded by the Honourable Mr. Morin,

Agriculture,  
Lower Canada.

*Resolved*, That a Select Committee, composed of Mr. Watts, Mr. Hale, Mr. Taschereau, Mr. Nelson, and Mr. Armstrong, be appointed to inquire into the expediency of amending the Laws of Lower Canada, relating to the remedy of abuses prejudicial to Agriculture, to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

British Planta-  
tion Vessels.

*Ordered*, That the Order of the Day for the House in Committee on the Bill to secure the Right of Property in British plantation vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the Registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, be postponed until to-morrow.



Municipal  
Laws, Lower  
Canada.

Mr. Hale, from the Committee of the whole House, to consider the propriety of repealing the existing Municipal Laws, and adopting new provisions on that subject, reported, according to order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

(272)

Resolved, That it is expedient to repeal the existing Municipal Laws of Lower Canada, with a view of adopting other provisions in lieu thereof, and of authorizing Corporations to levy rates for local purposes.

Ordered, That the Honourable Mr. Papineau have leave to bring in a Bill to repeal certain ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Elementary  
Instruction,  
Lower Canada.

Mr. Watts, from the Committee of the whole House, to consider the expediency of imposing a tax or rate, for the purposes of providing for Elementary Instruction in Lower Canada, reported, according to Order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to make better provision for Elementary Education in Lower Canada, by empowering the local authorities to assess and levy rates for that purpose.

Ordered, That the Honourable Mr. Papineau have leave to bring in a Bill to make better provision for Elementary Instruction in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Agriculture,  
Lower Canada.

Mr. Colville, from the Committee of the whole House, on the report of the Select Committee, appointed to enquire into the expediency of amending the Laws relative to the encouragement of Agriculture in Lower Canada, reported, according to Order, the resolution of the said Committee, which resolution was again read at the Clerk's table, and

agreed to by the House, and is as followeth:--

Resolved, That it is expedient to repeal the several Acts of Lower Canada, relating to Agricultural Societies in the Counties and Districts, and to the allowance made out of the Provincial Funds for the support of such Societies, with a view to the substitution of other enactments on the same subjects, and a more ample provision out of the Public Moneys of the Province for the support of Agricultural Societies in the Counties and Districts of Lower Canada.

Ordered, That Mr. Watts have leave to bring in a Bill to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Niagara Incorporation.

The Order of the Day for the second reading of the Bill, to Incorporate the town of Niagara, and to establish a Police therein, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Colville took the chair of the Committee, and after sometime spent therein,

Mr. Speaker resumed the chair,

And Mr. Colville reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Niagara and Ten Mile Creek Plank Road.

The Order of the Day for the second reading of the Bill, to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a Plank Road from a certain place in Niagara, to the Ten

Mile Creek in Grantham, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cauchon took the chair of the Committee, and after sometime spent therein,

Mr. Speaker resumed the chair,

And Mr. Cauchon reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Local Taxes  
on Lands,  
Upper Canada.

The Order of the Day for the second reading of the Bill, to remove all doubts as to the liability of certain lands in Upper Canada to be charged with local taxes, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Dickson took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dickson reported that the Committee had gone through the Bill, without making any amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Culling &c.  
Timber.

The Order of the Day for the second reading of the Bill to regulate the culling and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, being read,

Ordered, That the said Bill be read a second time, on Thursday next.

Pilots.

The Order of the Day for the second reading of the Bill to compel Pilots to qualify themselves for piloting Vessels through all the channels of the River St. Lawrence, below Quebec, being read,

Ordered, That the Bill be read a second time on Monday next.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Mines and  
Minerals,  
Gatineau.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would cause the proper officer to lay before the House, a copy of any Lease that may have been granted for working the mines and minerals on the river Gatineau, for the purpose of ascertaining if any stipulations were entered into as to when they should commence to be worked:--

(273)

(COPY.)

DEPARTMENT OF CROWN LANDS,  
Montreal, 18th January, 1845.

SIR,

I have the honour to acknowledge the receipt of your communication of the 16th instant, transmitting a copy of an Address of the House of Assembly to His Excellency, the Governor General, praying "That an humble Address be presented to His Excellency, the Governor General, praying that he will cause the proper officer to lay before this House, a copy of any Lease that may have been granted for working the mines and minerals on the river Gatineau, for the purpose of ascertaining if any stipulations were entered into as to when they should commence to be worked."

In reply, I have to state that there is no record in this office or that of the Surveyor General's, of the existence of such a lease as the one referred to in the above mentioned address.

I have, &c.

(Signed) T. BOUTHILLIER.

Honourable D. DALY,  
&c. &c. &c.

(COPY.)

PROVINCIAL REGISTRAR'S OFFICE,  
Montreal, 28th January, 1845.

SIR,

Upon a careful examination of the Records in this office, commencing the search from the year 1764, I cannot discover any trace whatever of a "Lease of the mines and minerals on the Gatineau river," and I have



consequently good reason to believe, that no such document exists among the records under my charge.

I have, &c.

(Signed.)

R. A. TUCKER.

Honourable D. DALY,  
&c. &c. &c.

Also,

Longueuil and  
Chambly  
Turnpike Road.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to cause the proper officer to lay before the House within the shortest possible delay, detailed Accounts of all sums of money expended and received by the Trustees of the Turnpike Road from Longueuil to Chambly, by virtue of the Ordinance of the Special Council, passed in the fourth year of Her Majesty's reign, chap. 16; and also detailed Statements of all transactions of the said Trustees, by virtue of the same authority, since the commencement of their trust.

(For the Documents accompanying the said Return, see Appendix FF.)

Les Soeurs de  
Notre Dame.

The Order of the Day for the House in Committee on the Bill to authorize the community of religious ladies, called, "Les Soeurs de la Congrégation Notre Dame de Montreal," to acquire and hold additional real or personal property to a certain amount, being read,

The House accordingly resolved itself into the said Committee.

Mr. Boulton took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Boulton reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Seigniorial  
Tenure.

The Order of the Day for the second reading of the Bill to facilitate commutation of the Tenure en roture in the Seigniories and Fiefs in Lower Canada, into that of free and common soccage, being read,

Mr. Christie moved, seconded by Mr. Taschereau, that the said Bill be now read a second time.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

The said Bill was accordingly read and referred to a Select Committee, composed of Mr. Christie, the Honourable Mr. Moffatt, the Honourable Mr. Morin, Mr. Taschereau, Mr. Lantier, Mr. DeWitt, and Mr. Méthot, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That it be an instruction to the said Committee to expunge from the Bill so much as provides for any compulsory commutation, leaving the commutation to be entirely free and optional with the parties, and in no case by constraint.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Macdonell, of Dundas,

The House adjourned.

APPENDIX, 17 FEBRUARY 1845.

((NOTICE OF PROPOSED MOTION.))

MR. JOHNSTON gave notice, that when the House adjourns on Friday, he will move that it meet at 10 o'clock, A. M., on Monday, to consider what questions are yet to be brought before the House.<sup>49</sup>

((QUESTION AND ANSWER RE: APPOINTMENT OF SOLICITOR GENERAL FOR LOWER CANADA.))<sup>50</sup>

MR. CAUCHON put a question to the Attorney General, whether the Government intended to appoint a Solicitor General for Lower Canada, and the reason why the appointment had not been made before?<sup>51</sup>

The Attorney General ((MR. J. SMITH)) said it was the intention of the Government to make the appointment; as for the reasons why it had not been made before, the Government did not conceive it to be necessary to impart them to the hon. gentleman.<sup>52</sup>

FOOTNOTES - 17 FEBRUARY 1843.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 20 February 1845, and the ST. CATHARINES JOURNAL, 27 February 1845, in accounts which are identical except that in the ST. CATHARINES JOURNAL some speeches have been omitted entirely; LA MINERVE, 20 February 1845; LE CANADIEN, 26 February 1845, in an account abbreviated but otherwise identical to that of the MONTREAL GAZETTE, 20 February 1845. Whenever necessary and possible, accounts are taken from the ST. CATHARINES JOURNAL rather than the MONTREAL GAZETTE, parts of which are very difficult to read. L'AUREOLE, 20 February 1845, comments on Baldwin's speech.
2. MONTREAL GAZETTE, 20 February 1845.
3. ST. CATHARINES JOURNAL, 27 February 1845.
4. IBID.
5. MONTREAL GAZETTE, 20 February 1845.
6. ST. CATHARINES JOURNAL, 27 February 1845.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. MONTREAL GAZETTE, 20 February 1845.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. MONTREAL GAZETTE, 20 February 1845, which styled his remarks "inaudible".
21. MONTREAL GAZETTE, 20 February 1845.
22. ST. CATHARINES JOURNAL, 27 February 1845.
23. IBID.
24. The debate on this matter was reported by: MONTREAL GAZETTE, 20 February 1845, KINGSTON NEWS, 20 February 1845, copying MONTREAL TRANSCRIPT, and the PILOT, 21 February 1845, in identical accounts, except that the PILOT contains some speeches which are dissimilar from those in the other accounts; and LE JOURNAL DE QUEBEC, 22 February 1845. LA REVUE CANADIENNE, 22 February 1845, contained a commentary.
25. PILOT, 21 February 1845.
26. IBID.
27. LE JOURNAL DE QUEBEC, 22 February 1845.
28. MONTREAL GAZETTE, 20 February 1845.
29. IBID.
30. IBID.
31. IBID.
32. LE JOURNAL DE QUEBEC, 22 February 1845.



33. MONTREAL GAZETTE, 20 February 1845.
34. LE JOURNAL DE QUEBEC, 22 February 1845.
35. MONTREAL GAZETTE, 20 February 1845.
36. PILOT, 21 February 1845.
37. IBID.
38. IBID. According to LE JOURNAL DE QUEBEC, 22 February 1845, during the voting murmurs of indignation at Papineau's vote caused him to try afterwards to explain and justify his vote.
39. PILOT, 21 February 1845.
40. LE JOURNAL DE QUEBEC, 22 February 1845.
41. IBID.
42. IBID.
43. IBID.
44. PILOT, 21 February 1845.
45. IBID.
46. The debate on this matter was reported by: KINGSTON NEWS, 20 February 1845, copying MONTREAL TRANSCRIPT, and MONTREAL GAZETTE, 20 February 1845, in identical accounts.
47. IBID.
48. IBID. The ellipsis represents a line which has been cut away from the newspaper.
49. IBID.
50. The debate on this exchange was reported by: MONTREAL GAZETTE, 20 February 1845; ST. CATHARINES JOURNAL, 27 February 1845; and LA MINERVE, 20 February 1845.
51. MONTREAL GAZETTE, 20 February 1845.
52. IBID.

TUESDAY, 18 FEBRUARY 1845.

(273)

Petitions  
brought up.

THE following Petitions were severally brought up and laid on the table:--

By Mr. Colville, the Petition of Joseph Braithwaite and others, members of the Church of England, in the parish of Chambly, in the district of Montreal.

By Mr. Roblin, The Petition of Joseph Choat and others, occupants of Clergy Reserves, in the township of Ameliasburg.

By the Honourable Mr. Robinson, the Petition of James Coleman and others, of Adjala, and other townships.

By the Honourable Mr. Baldwin, the Petition of Thomas G. Coyne and others, of the township of Dunwich; the Petition of James Tawnton and others, of the township of Southwold, in the district of London; and the Petition of Asahel Barnes and others, occupants of Clergy Reserve Lands in the district of London.

By Mr. Scott, the Petition of the Reverend Joseph Abbott and others, on behalf of the members of the Church of England, in the parish of St. Matthew, Grenville; and the Petition of J. O. A. Turgeon and others, of the parishes of Terrebonne and St. Therèse, in the county of Terrebonne.

By Mr. Jobin, the Petition of the Reverend William Bond and others, members of the Church of England, in the parish of Lachine.

(274)

By Mr. Lantier, the Petition of P. Watier and others, of the parish of St. Joseph des Cedres, and other places.

By Mr. Stewart, of Bytown, the Petition of N. Sparks and others, of Bytown.

By Mr. Macdonald, of Kingston, the Petition of the Mayor, Aldermen, and Commonalty of the town of Kingston.

By Mr. Boulton, the Petition of James Little, Esquire, and others, of Seneca and other townships, in the district of Niagara.

Les Soeurs de  
Notre Dame.

An engrossed Bill to authorize the community of religious ladies, called Les Soeurs de la Congrégation Notre Dame de Montreal, to acquire and hold additional real or personal property to a certain amount, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Chabot, seconded by Mr. Armstrong,

Pensions to  
La Croix  
and Bolduc.

Ordered, That the Message of His Excellency, the Governor General, laid before this House on the third instant, relative to an allowance or pension to Pierre Lacroix and Joseph Bolduc, heretofore Messengers of the Legislative Council of the Province of Lower Canada; and the Petition of the said Pierre Lacroix and Joseph Bolduc, be severally committed to a Committee of the whole House, on to-morrow.

Election,  
Third Rid-  
ing York.

Mr. Berthelot, from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this morning at ten o'clock, but were unable to proceed to business, in consequence of the absence of Mr. Taché, their chairman.

Ordered, That the said Committee have leave to adjourn until Saturday next, on account of the illness of their chairman.

Petition of  
J. Wetenhall  
and others.

Ordered, That the Honourable Mr. Baldwin, and Mr. Macdonald, of Kingston, be added to the Select Committee, to which was referred the Petition of John Wetenhall and others, of the township of Nelson, in the district of Gore, and other references.

Legislative  
Records of  
Upper Canada.

Resolved, That a Select Committee, composed of Mr. Gowan, the Honourable Mr. Moffatt, the Honourable Mr. Morin, Mr. Macdonald, of Kingston, and the Honourable Mr. Baldwin, be appointed to consider and report to this House, upon the best mode of completing the existing series of the Legislative Records of the late Province of Upper Canada; with power to send for persons, papers, and records.

On motion of Mr. Gowan, seconded by Mr. Macdonald, of Kingston,

Petition of A.  
Manahan, Esq.

Ordered, That so much of the entries in the 367th, 368th, and 378th pages of the Journals of the Assembly of the late Province of Upper Canada, for the year 1840, as relates to the Petition of Anthony Manahan, Esquire, together with the Report of the Select Committee thereon, as contained in

the Appendix to the said Journals, (vol. i. part 2d.;) and also those entries in the 494th, 511th, and 632d pages of the Journals of the Assembly of the Province of Canada for the year 1841, as relates to the same subject, be now severally read.

The said entries were read accordingly.

On motion of Mr. Dickson, seconded by Mr. Cummings.

Welland Canal.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause the proper officer to lay before this House a return of the amounts which have already been expended for completing the Welland Canal, from Thorold and Lock No. 18 respectively, to Port Dalhousie; the amount to be expended at Port Dalhousie for deepening the entrance, constructing piers, protecting works; the annual cost of keeping the entrance clear of sand; the depth of water there will be on the bar when the contemplated works are completed; and a statement of all necessary expenditures connected with said harbour at Port Dalhousie; with such observations on the shallowing of the water of the Lake, as may have been made by the officers of the Board; and also whether a certain survey or pretended survey made by the subordinate officers of the Board during the polling days of the late election of the town of Niagara, from Thorold to the said town, was made under the authority of the Board of Works; if so, the information derived by such survey; and the intention of the Board in making the same.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Niagara Incorporation.

Mr. Colville, from the Committee of the whole House, on the Bill to incorporate the town of Niagara, and to establish a Police therein, reported according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Niagara and  
Ten Mile Creek  
Plank Road.

Mr. Cauchon, from the Committee of the whole House, on the Bill to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a Plank Road from a certain place in Niagara to the Ten Mile Creek in Grantham, reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.



*Ordered, That the said Bill, as amended, be engrossed.*

Liabilities of  
certain Lands  
to Taxes in  
Upper Canada.

*The Order of the Day for receiving the Report of the Committee of the whole House, on the Bill to remove all doubts as to the liability of certain lands in Upper Canada, to be charged with local taxes, being read,*

*Ordered, That the said Bill and Report be recommitted to a Committee of the whole House, to-morrow.*

Claims for  
Losses.

*The Order of the Day for the House in Committee to consider the expediency of making provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by the Act of the Legislature of this Province, and relating to the payment of claims, arising out of the late Rebellion and Invasions of Upper Canada; and of appropriating the moneys arising*

(275)

*from Tavern licenses for local purposes, applying such portion thereof as may belong to localities in Upper Canada, to the payment of the said claims, until the same be fully paid, or the money to be advanced to pay them, be reimbursed to the Province, being read,<sup>1</sup>*

COL. PRINCE hoped the Government would postpone this until this day week in order to give him time to obtain certain returns from the Western District.<sup>2</sup>

(275)

*Ordered, That the said Order of the Day be postponed until Tuesday next.*

Trinity House,  
Montreal.

*The Order of the Day for the second reading of the Bill to amend and consolidate certain Laws, and an Ordinance now in force relating to the powers and duties of the Corporation of the Trinity House of Montreal; to Pilots and Pilotage in the port of Montreal; and to the Montreal Decayed Pilot Fund; and for other purposes, being read,<sup>3</sup>*

MR. ATTY. GENL. ((JAMES)) SMITH moved the second reading of the Bill to consolidate the Laws relative to the Trinity House of Montreal, with the intention of referring it to a select committee.<sup>4</sup>

MR. AYLWIN said it was his intention to have opposed this Bill, but after the course adopted by the Attorney General, he should wait until the committee had reported.<sup>5</sup>

MR. ATTY. GENL. ((JAMES)) SMITH said he believed the only objectionable part of the Bill was the 44th clause, which would be much modified if not withdrawn altogether. In other respects there was nothing new in

the measure before the House. It would, however, contain a table of fees instead of its being left to the Trinity House to fix them.<sup>6</sup>

(275)

*The said Bill was accordingly read.*

MR. ATTY. GENL. ((JAMES)) SMITH moved its reference to a committee, consisting of Messrs. Moffatt, Aylwin, Chabot, Robinson, and Smith (Missisquoi.)<sup>7</sup>

COL. PRINCE did not think it was necessary that there should be any Trinity House at Montreal at all. However, he hoped the Government would withdraw the 44th clause; it was very unjust that vessels with valuable cargoes and bound to Montreal should escape the payment of the lights below Quebec. He also trusted the Quebec Trinity House Bill would be proceeded with at once, and not deferred until another Session.<sup>8</sup>

MR. ATTY. GENL. ((JAMES)) SMITH said that the delay which had taken place in the introduction of these measures was owing to a desire on the part of the Government to incorporate the Trinity House of Montreal and Quebec. This desideratum it was not found possible to accomplish at present. There was a necessity for the introduction of the measure for Montreal, as the law under which it was at present constituted expired in the May following -- a necessity which did not exist as regarded Quebec. It was, therefore, proposed, at the suggestion of many honourable gentlemen, to defer the measure for the latter until next Session.<sup>9</sup>

((There were)) remarks from MESSRS. AYLWIN, MOFFATT, CAUCHON, and CHAUVEAU<sup>10</sup>.

The motion was carried.<sup>11</sup>

(275)

*and ((the Bill)) referred to a Select Committee, composed of the Honourable Mr. Attorney General Smith, the Honourable Mr. Moffatt, the Honourable Mr. Aylwin, Mr. Chabot, and the Honourable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.*

Election, Third  
Riding York.

Ordered, That this House do now adjourn for half an hour, to enable the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, to take such measures, as may in this behalf appertain, conformably to the Order of this House, to that effect.

*Pursuant to Order, the House adjourned until this hour.*

6:45 O'Clock P.M.

Trinity House,  
Quebec.

The Order of the Day for the second reading of the Bill to amend and consolidate the Laws and Ordinances now in force, relating to the powers and duties of the Corporation of the Trinity House of Quebec; to Pilots and Pilotage in the port of Quebec; and to the Quebec Decayed Pilot Fund; and for other purposes, being read,

Ordered, That the said Bill be read a second time, on Friday next.

Corporation,  
City of Toronto.

The Order of the Day for the House in Committee on the Bill to amend the Act of Incorporation for the city of Toronto, by providing for the establishment of a Court of Record therein, to be called, the Recorder's Court, in lieu of the Mayor's Court, now established therein; by providing that the Recorder shall preside over the Division Court for the recovery of small debts within the said city and liberties; and vesting in the Mayor, Aldermen, and Commonalty, of the said city, the power of laying out and opening new streets, within the limits of the said city and liberties; and of regulating the mode of building therein; and defining the limits of the said city and liberties; and making a better and more convenient division of the said city into wards; and for other purposes connected therewith," being read,

Ordered, That the said Order of the Day be postponed, until Tuesday next.

Laws relating  
to Customs.

The Order of the Day for the second reading of the Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Customs, and for granting Duties of Customs, being read,

The Honourable Mr. Robinson moved, seconded by the Honourable Mr. Attorney General Smith, that the said Bill be now read a second time.<sup>12</sup>

MR. ROBINSON ... said, that one of the principal improvements in this measure, and one which would materially increase the revenue without being an additional tax, was the substitution of a fixed duty per lb. and gallon upon articles which were now subject to an ad valorem duty, as far as it was practicable. Another, which would avoid much trouble and risk, was the substitution of ready-money would be placed in the hands of the receiver general at once, and the country would receive the benefit of the interest accruing thereupon. This alteration had met with the approbation of the trade, as they were yet allowed to retain imports in bond, and not to pay the duty upon the same until withdrawn for consumption. It was also intended to reduce the duties upon tea and tobacco, in order to put a stop to smuggling in these articles by rendering it no longer profitable, by which means it was expected that the revenue would be considerably benefitted.



Under the present duty of 4d per lb upon tea a check had been put upon smuggling, but in Upper Canada it was yet carried on to a considerable extent. The effect of the previous reduction had been a considerable increase of the revenue. Every encouragement would be given to home manufactures, and for this purpose the duty upon the raw material would be reduced to 1s per cent, for merely statistical purposes. The contemplated tariff was not as yet completed, but would be laid before the House in Committee of the whole on Friday next, and he believed it would give satisfaction to the House and country. The reason it had not been prepared before, was on account of the difficulties involving such a subject. Day after day he was in communication with gentlemen whose opinions he was bound to pay attention to; and it was not his fault that it was then before the House. The imaginary boundary existing between Lower Canada and the United States had given rise to an evil which would be remedied by this measure; he alluded to the practice of building stores upon the boundary line, which were thus placed in neither country. The remedy proposed was to provide that no store should be erected within a given distance of the frontier. It was also proposed to admit American wheat to be ground in bond, in the same manner that live cattle are now admitted, the duty not to be paid thereon until taken out for consumption or exportation; thus preventing American flour entering into competition with that of Canadian growth, for home consumption, and giving to the province the advantage of a large transit and manufacturing trade in this article. The latter clauses of the bill instituted some stringent measures for the prevention of smuggling and the summary conviction of offenders. He also proposed, when the bill went into committee, to re-enact certain clauses of previous bills imposing imperial duties, for the purpose of making the whole system more explicit and easier understood, and to give the Governor and Council the power of regulating the coasting trade in the same manner as done in England.<sup>13</sup>

MR. CHRISTIE -- What about the fisheries?<sup>14</sup>

MR. ROBINSON -- After making the necessary inquiries, if he found that the duties now imposed upon articles used in the fisheries could be removed without detriment to the public interests, he would be happy to recommend the reduction sought by the member for Gaspe. He had hoped to have been able to have stated to the House on this occasion the increase in the revenue, but the statement could not be made out without taking the clerks from duties at this time, more important; in a short time, however, he hoped to lay it before the House.<sup>15</sup>

MR. AYLWIN was not satisfied with the statement made by the Inspector General: that gentleman was called on to perform the duties of the Chancellor of the Exchequer, and, upon this occasion, he should have been prepared to lay before the House and country a luminous exposition of the financial affairs of the Province, instead of the meagre thing which he had. He was aware that that hon. gentleman had but recently taken office, and was willing to make every allowance for that, but it was a duty he owed to himself and to the people of this Province, to insist that, upon a future



occasion, that statement should be made. The Inspector General should have come down with a statement which could be published in the newspapers, and circulated not only in this country but in Great Britain.<sup>16</sup> He would ask if the speech he had delivered, if reducing to writing, would be any credit to the Administration? He hoped it would be taken down, word for word, to show how incompetent the Members of the present administration were for the offices they fill. (Ironical cheers.) He was glad to hear those cheers; and those who cried "hear! hear!" were those only who could support such an Administration. If a more satisfactory statement were not made, the result would be that the honorable gentleman would be declared, here and at home, incompetent to the duties which he had assumed. Instead of the commercial and statistical summary which was expected, nothing but a meagre statement, without reference to figures or detail, had been produced. If a different course were not pursued on a future occasion, he should take that notice of it which he conceived it to be his duty to do, and if the little paltry feelings of this Province did not support him in it, his example would have its effect on the other side of the Atlantic, and the Administration would find that they were not on a bed of roses.<sup>17</sup>

MR. ROBINSON -- We are aware of the thorns.<sup>18</sup>

MR. AYLWIN -- He would not make it more thorny, but at the same time would endeavour to perform his duty as a British subject, and prove the incapacity of Ministers unless they pursued a different course. But if he found the errors of the Inspector General to be venial ones, no one would be more ready to extend to him a large measure of charity. (Hear, hear.) He would not contrast the course pursued on the present occasion with that of the late Inspector General in the previous Sessions. He trusted that the Member for Simcoe would be equal to the arduous and important duties of his office, which was one of so great importance to this colony, that it ought to be filled by the Prime Minister, and the one which the people were most bound to look to. He had not the honor of the acquaintance of the present Inspector General, but he was bound to believe that he possessed the attainments necessary to qualify him for his office, but he was not satisfied that he was the person upon whom that office ought to have been conferred. He did not say this with the intention of hurting the feelings of the Hon. gentleman, or attacking the administration; but in selecting him the head of the government, had not selected a gentleman of Commercial experience, which he was bound to do. Until the situation of Inspector General was filled by a gentleman of this character, the interests of the country would suffer. He also conceived that the Receiver General ought to be associated with the Inspector General in that House to assist him in giving those explanations relative to the finances of the province, which it might require; but instead of having a seat where all public grants were made, and where his presence was most needed, he was placed in the Upper House. He (Mr. Aylwin) would feel agreeably disappointed if he found the Inspector General possessed of that knowledge of trade and commerce, and financial experience requisite for his office; and if he did find him so, he

would be the first Member of that House to afford him his humble tribute of praise. After these remarks, the House could not accuse him of a disposition to cavil at Ministers. If the Inspector General performed the duties of his office properly, and he gave him credit for zeal in their performance, he would not oppose him; but if he fell short of the requisite standard he would feel it his duty to hold him up to the country at large as one incompetent to the office he filled.<sup>19</sup>

COL. PRINCE said, he considered the Member for Quebec had been a great deal too hard upon the Inspector General, who, however, no doubt could take a joke as well as most men. He (Col. P.) considered the speech of the Member for Simcoe the best he had heard in that House; it had the merit of being brief, and said a great deal in a short time. He protested against long speeches, particularly at that period of the Session; if there had been less talking in the House there would have been double as much work done, and it would have been done better. He knew that the seat of office was a bed of thorns, and he believed the Member for Quebec had found it such. For his own part he felt for all who were in office. The Hon. Member had stated that it was necessary for Ministers to go into a long detail of their measures, but for himself he could say he did not think so, for he looked into the Bills themselves for the arguments for or against them. He considered that the Receiver General ought to hold a seat in that House. When the hon. Member reproached the present Inspector General for not making a long speech, he did not reflect that the last was not a very eloquent one, his expositions were remarkably short and concise. (Laughter.) He thought that if the Member for Quebec would follow the example of the Inspector General, and spare his eloquence, refraining from making a long speech every occasion, it would be better for the country; he (Col. P.) admired that eloquence, but he would like it better if it were briefer. With respect to the Bill itself, he should oppose that part of it which provided for a reduction of the duty upon foreign tobacco. He considered it unwarrantable and unjustifiable, when almost every other article of agricultural produce was protected, that the tobacco growers of the Western District should be ruined by a mere speculative attempt to prevent smuggling. The Inspector General had spoken of protecting home manufactures, he would tell him that in the Western District there was a large business carried on in the manufacture of cigars. Previous to the first reduction in the duty upon tobacco, the growth was carried to a great extent, and in one year £12,000 worth was shipped to Montreal for exportation. The country was better calculated for the growth of tobacco than any thing else, and the crop requiring only the attention of women and children, was worth four times as much as wheat; but without some protection the inhabitants of the Western District could not compete with the slave labour of the United States.<sup>20</sup>

MR. WILLIAMS felt it his duty to protest against the proposed admission of American Wheat in Bond, as being in direct contravention of the Imperial Act allowing its admission into this Colony on the condition of its paying duty. He would oppose the project by every means in his power, and would never yield to it. Was it supposed that the Legislature of Great Britain

would open its ports for the introduction of Foreign produce merely because it was manufactured in this country? The Honble. gentleman spoke with great vehemence, and was greeted with roars of laughter.<sup>21</sup>

MR. MOFFATT said, that the Member for Quebec had expected that the Inspector General should come down to the House with a similar detail to that given by the Chancellor of the Exchequer in England. Now there was no comparison between the two officers. The Inspector General had not the power to make any great alterations to the regulation of the trade of the country; that power was principally in the hands of the Imperial Government. He did not consider that it was the duty of his Honble. friend upon this occasion to ----<sup>22</sup>

MR. AYLWIN -- He had not compared the duties of the Inspector General of this Colony with those of the Chancellor of the Exchequer in England.<sup>23</sup>

MR. MOFFATT continued. -- He had so understood the Honble. gentleman; and he considered that there was no necessity for the Member for Quebec to interrupt him in the manner he had done; and which he was constantly in the habit of doing.<sup>24</sup>

MR. AYLWIN rose and cries of Order. The Member for Montreal had imputed ----<sup>25</sup>

Speaker ((SIR ALLAN MACNAB)) -- Order! Order!<sup>26</sup>

MR. MOFFATT continued. -- The Member for Quebec was in the habit of frequently interrupting -----<sup>27</sup>

MR. AYLWIN here rose again and interrupted the Member for Montreal<sup>28</sup>.

The Speaker ((SIR ALLAN MACNAB)) called him to order.<sup>29</sup>

He, ((MR. AYLWIN)) however, took no notice of the call, beyond stretching his neck out in a listening attitude towards the Speaker, and still remaining standing.<sup>30</sup>

The Speaker ((SIR ALLAN MACNAB)) then rose and addressing him said, the "Member for Quebec is out of order in interrupting an Hon. Member; he is out of order in persisting in that interruption after being repeatedly called to order by the House; and if he did not take his seat he should be compelled to name him."<sup>31</sup>

MR. AYLWIN still persisted in refusing to take his seat<sup>32</sup>.

The Speaker ((SIR ALLAN MACNAB)) then named him to the House.<sup>33</sup>

MR. ((J. A.)) MACDONALD of Kingston said the Member has been named, he might now explain the cause of his being called to order, and he must then withdraw.<sup>34</sup>



MR. AYLWIN said he had no hesitation in withdrawing; he considered that he was quite justified in the course which he had pursued, and he was prepared to maintain it. The Member for Montreal had made an observation contrary to Parliamentary usage, in saying that it was his (Mr. A's) constant practice to interrupt Hon. Members.<sup>35</sup>

MR. ((J. A.)) MACDONALD of Kingston, rose to order; the Hon. Member could only explain how he was out of order.<sup>36</sup>

MR. AYLWIN wished it to be well understood that he insisted that his right had been invaded; he appealed from the judgment of the Speaker, and he claimed for himself and his constituency that he should be heard.<sup>37</sup>

The Speaker ((SIR ALLAN MACNAB)) said the Member for Quebec was out of order in impugning the judgment of the Speaker.<sup>38</sup>

MR. ((J. A.)) MACDONALD, Kingston, rose to order; if the Hon. gentleman appealed from<sup>39</sup> the decision of the Speaker to the House, it was his duty to withdraw.

MR. AYLWIN said he had a right to be heard, and he would not withdraw until he had been. He was perfectly in order when called to order, but the Member for Montreal was out of order. If there was a difference upon this point, where was it felt? You, Mr. Speaker, are the first officer of this House, and at the same time its first servant, and it is your duty to maintain order, and when the Member for Montreal referred to what was not the subject of discussion, and accused me of the constant practice of interrupting him, it was your duty to have called him to order.<sup>40</sup>

MR. MURNEY said, the remarks of the Hon. gentleman were no explanation at all. If he did not explain, he must withdraw.<sup>41</sup>

MR. SOL. GEN. ((HENRY)) SHERWOOD said, that the Hon. gentleman, after having been called to order by the Speaker, for interrupting the Member for Montreal, had persisted in his conduct, and was named to the House. He had now no right to justify what he had done, he could explain, but not impugn the decision of the Speaker; he was not in order to interrupt the Member for Montreal, but should have waited until he had concluded.<sup>42</sup>

MR. JOHNSTON hoped the Hon. gentleman would be heard; it would be arbitrary to deprive him of that right.<sup>43</sup>

MR. AYLWIN resumed, -- I wish to know if I am to be allowed to defend myself or not. If allowed to defend myself, I am prepared to do so; if not, I am willing to retire; I am prepared for either course.<sup>44</sup>

The Speaker ((SIR ALLAN MACNAB)) said, the Member for Quebec had been out of order, and, after having been repeatedly called to order, persisting in his conduct, had been named to the House. He had felt it necessary to



take this step, that the rules of the House might not be trifled with -- it was a duty which he owed to the House, which, on this occasion, he had felt bound to perform. It only remained now for the Hon. gentleman to explain and withdraw; and if he would allow him to suggest to him the course he should pursue, and one his friends would advise ((him)) to take - he would admit to the House that he had been out of order; such a course would better become the high position that gentleman had held in the House.<sup>45</sup>

MR. AYLWIN said he differed toto coelo from the Speaker. The course he intended to pursue, he would not allow him or any other to dictate. He had been perfectly in order when named by the Speaker, and he had a right to be heard. You Mr. Speaker have prejudged the question. (Order! Order!)<sup>46</sup>

The Speaker ((SIR ALLAN MACNAB)) -- The Hon. gentleman is out of order, he must confine himself to explanation.<sup>47</sup>

MR. LAFONTAINE hoped the Member for Quebec would be heard, he had a right to explain, and it would be ungenerous to deny it ((to)) him.<sup>48</sup>

MR. AYLWIN resumed -- The Member for Montreal was out of order in saying that which he did.<sup>49</sup>

The Speaker ((SIR ALLAN MACNAB)) -- That is not the question. The Member for Quebec has been named to the House as out of order, and can only explain relative to that.<sup>50</sup>

MR. AYLWIN resumed -- He had not been out of order. The Member for Montreal had violated a standing order of that House, and what he wished was to have that fact ascertained. The Member for Montreal had referred to previous occasions, and accused him (Mr. Aylwin) of the constant practice of interrupting him; he had afterwards modified it by saying it was his general practice. He contended that he was out of order in so doing and that he had no right to impugn the proceedings of any Hon. Member upon a previous debate. I am aware, Sir, that attempts have been made by Members on the other side to put me down, -- and Sir, I might go farther, for I am fearless of speech, but I will not -- I might, Sir, I may, go further, and name others who have done the same, but I will not here, but elsewhere. Justice has not been done me by this House.<sup>51</sup>

No! No! it has not.<sup>52</sup>

((MR. AYLWIN continued:)) Attempts, I say, have been made to put me down by cries and noises, because, Sir, I am looked upon as the most obnoxious Member of the opposition. But I care not what decision this House comes to against me; but I say, Sir, standing here, I could make an accusation, upon proceedings such as those unparliamentary ones which have been taken by the majority against an individual Member - an accusation I say, Sir, which a certain exalted individual would feel strongly. It is due to myself, to the constituency which sent me here, to my country, and every Member of this House, to speak out upon this occasion. And if any

mawkish sentiment shall induce Members to lay down a nice line of debate, upon the plea of what is done in this, or that, or the other place, I will be the first to try and put it down, and if I do not succeed, I shall be its honoured victim. I care not one farthing for the decision of this House; I cannot forget that I am a British subject, and as such owe a duty to my country, and I am determined to stand up here for the same liberty of debate as enjoyed in the House of Commons. The Speaker there, Sir, would not demean himself to observe ---<sup>53</sup>

MR. ((J. A.)) MACDONALD (Kingston) said, that as the Member for Quebec chose to continue in the same strain he should move, seconded by MR. MYERS, that he withdraw.<sup>54</sup>

MR. JOHNSTON moved, in amendment, that the explanation of the Hon. gentleman was satisfactory.<sup>55</sup>

MR. AYLWIN said, "I presume, Sir, before I am called upon to withdraw, I shall be allowed an opportunity to explain; after that I care not for, neither do I fear, your decision. I was referring to the conduct of the Speaker of the British House of Commons, and was about to say that he would take no notice at all of a variety of circumstances, in which it is said that you ought to interfere. I stand out on the present occasion, not in my own cause, not for myself, but for the freedom of Parliamentary debate; a freedom, Sir, which was not understood in the last Session, neither is it now. I will never succumb to the low, narrow, circumscribed tone which it is endeavoured to introduce into this House. If the language and scenes of violence which I have witnessed on the judicial bench, were contrasted with the proceedings of this House, then they might be called improper. But here, where men are strongly opposed to each other, and heated by political feelings, they are to be put down for a word; and all that is necessary is for the Speaker to cry "Order!" to stifle the expression of his sentiments. If such a thing is to be tolerated, Sir, I say there is an end to debate. Dissolve this House at once, do away with the farce of legislation; or allow a man to stand up in the full dignity of a man. What have I said, Sir, that I should be called to order? Have I hurt any man's feelings? have I attacked private character? or done anything which would entitle an Honourable Member to demand satisfaction of me out of this House? No! Sir! I have done nothing of the kind. But here the mawkish sensibility of Members is to be encouraged. We are called to order by the Speaker, as though he were the schoolmaster, with the birchen rod, appointed to whip us little boys. Sir, I do not recognize in you the schoolmaster; I do not acknowledge the birchen rod; but Sir, I recognise in you the first servant of this House, and a Member of this House, and I call upon you, Sir, to remember that you are such. How, Sir, can a Member of this House, after taking the oath prescribed by law at that table, submit to be called to order by you on ----- "<sup>56</sup>

The Speaker ((SIR ALLAN MACNAB)) -- The Hon. Member is out of order. He has been allowed to proceed to great lengths. He must confine himself

to explanation.<sup>57</sup>

MR. AYLWIN resumed -- "It is not usual, Sir, for the Court to interrupt a criminal in his defence, and I have a right to claim the same indulgence. I will no longer argue the case: I am, Sir, far superior to the judgment of this House, or that of the province at large. My motives of action, Sir, are not to be decided upon by any earthly tribunal: they can only be adjudicated upon in the great day of account, before an Almighty Judge. I despise, Sir, the opinion of this House: I have an arbiter in my own conscience, and I am satisfied to hold the position which I do now, for that position is not the ignominious one of a criminal. No, Sir, my position is a higher one: I sit as a judge upon my accusers. I am satisfied to hold that position, and nothing can induce me to do otherwise. I am charged with a breach of order; I retort that charge: the Member for Montreal is he who should hold the position I occupy. He has charged me with the general commission of offences against order in this House. He must know that such a charge was unparliamentary, and you, Sir, knew too."<sup>58</sup>

The Speaker ((SIR ALLAN MACNAB)) -- "The Member for Quebec is out of order. I knew no such thing. The Member for Quebec was called to order for frequent interruptions, and named to the House for refusing to take his seat."<sup>59</sup>

MR. AYLWIN -- "I shall now, Sir, close my defence."<sup>60</sup>

MR. LAFONTAINE -- "I demand that the galleries be cleared." (No! No!)"<sup>61</sup>

MR. AYLWIN -- "I hope my Hon. friend will not press his request."<sup>62</sup>

MR. LAFONTAINE -- "I shall do so: I have a duty to perform, and I must perform it."<sup>63</sup>

The doors were then closed and strangers excluded.<sup>64</sup>

The debate with closed doors lasted upwards of three hours.<sup>65</sup> An attempt was made to enter a resolution on the Journals condemnatory of Mr. Aylwin<sup>66</sup>, and sustaining the Speaker<sup>67</sup>.

((This was)) subsequently withdrawn at the suggestion of the Speaker ((SIR ALLAN MACNAB)), who expressed himself satisfied to receive Mr. Aylwin's apology, without anything appearing upon the Journals of the House.<sup>68</sup>

MR. AYLWIN ... acknowledge((d)) that he was wrong in not sitting down when directed by the Speaker<sup>69</sup> and apologised to the House<sup>70</sup>.

The doors were again opened.<sup>71</sup>

MR. MOFFATT continued his speech in defence of the Inspector General.<sup>72</sup>



MR. BALDWIN concurred in the views taken by Mr. Aylwin of the position of the Inspector General, he did not, however, see the necessity of having both ministers of finance in the lower house: and, in short, out of deference to the other house and the necessity of explaining Government measures he would always, for the future wish to see Receiver and Inspector Generals in the upper house. He was perfectly willing to take the Inspector General's explanation, such as it was for the present: but for the future would wish it to be so explicit, as to preclude the necessity of looking into the bill for argument; in short, he had looked in the bill, where he found a long schedule, no amount was marked against any of the articles contained in it. That brought him to another point; the form of the bill he thought was irregular, it being the usual method to state the amount of duty to be levied, in the committee of the whole which originated the bill.<sup>73</sup>

The Inspector General ((MR. ROBINSON)) had followed the precedent laid down at Kingston.<sup>74</sup>

MR. BALDWIN thought the hon. gentleman would do well to follow the English precedent, according to which, as he had already stated, the duties were voted according to a resolution of the committee where the bill originated, and not in the committee after the second reading.<sup>75</sup> He (Mr. Baldwin) spoke from memory, but he thought that in '43 a similar bill was not introduced till the House had previously determined by resolutions in committee upon each item of duty in the schedule.<sup>76</sup>

MR. ROBLIN believed that the hon. member for the Fourth Riding of York was correct. In the last session, thirty-three resolutions were passed in Committee, and then a motion was made to embody them in a bill, and he believed that to be the usual form. He thought the bill was a good one, but there was (sic) one or two points he objected to. He was surprised to hear the Inspector General say, that he did not know what would be the effect of the bonding system: that was the very point on which they should be informed. There had been a struggle about it in Upper Canada, and the British Government had taken the same view as the Assembly. They said, "You may grind American Wheat and import it into England as Canadian flour," and it was never asked where the wheat was grown. But if the American wheat was ground here in bond, there was an end to the duty at once, (hear, hear,) and after the struggle that they had, he was unwilling to let it slip through his fingers. How in the name of common sense, would the English Government distinguish whether this wheat was ground in Bond or not?<sup>77</sup>

The Inspector General ((MR. ROBINSON)) did not apprehend any loss of revenue by this means. The Wheat would be ground in this country, not for consumption here, but for exportation, and would pass into England as Foreign Flour with the Bonding Certificate. He was certain that the country would derive great advantage from this system, as there would be not merely the grinding, but also the transport, and the honourable gentleman should remember that without this our great Canals will not be half employed.<sup>78</sup>



MR. ROBLIN. -- The old story.<sup>79</sup>

((MR. ROBINSON resumed:)) He must confess he was quite unprepared for the attack made on him by Mr. Aylwin. He was not prepared, in fact he had not an idea that it was expected he should go into the whole commercial history of the country. And as to fulfilling his duties, he had taken office with a full sense of his own imperfection, and did not flatter himself with the hope of being able to give every one satisfaction. He could, however, assure that hon. gentleman that he would not retain office one minute longer than he was required by his country. Taking into consideration the short time he had been in office, and the length of time he was employed in his political duties, he hoped, nevertheless, that the House would have a little more consideration for him than was shown by that hon. member.<sup>80</sup>

DR. DUNLOP said, that there was a great number of Bills, coming before the House which had sprung from the manufactory of his friend Mr. Hincks. This was one of those, and he objected to the whole batch, because they introduced in the country a cumbrous system which could do no possible good unless the House was prepared to sacrifice one third of the revenue to carry it into effect. There was the Distillery Bill.<sup>81</sup>

The Attorney-General ((MR. J. SMITH)) said, that Bill would not be gone on with.<sup>82</sup>

((DR. DUNLOP continued:)) He was very glad to hear it, but this was another of a similar description: it was intended by it to allow American corn to be ground here in bond, and, perhaps, after it had been so ground, and after the miller had taken a considerable dole of it, then it was to go to England with an endless series of certificates to show that the very flour in a particular barrel was of American growth, and ground in Canada. He would appeal to every miller in the House whether such a permission was not quite unnecessary. At present, wheat could be ground at a duty of 4d per bushel currency, and he thought it would be much more advantageous to get the wheat as it comes in by the Welland Canal paying that 4d per bushel than to introduce the bonding system with all its cumbrous machinery. He must say he did not like the thing: though such a plan might work well in England, where there was a whole army of excisemen. It would not be found to answer here.<sup>83</sup>

MR. ((J. S.)) MACDONALD, Glengarry, thought that the hon. Inspector-General would find that he omitted one part of the proceedings which took place on the bill of the Session of 1841. Upon that occasion the House went into Committee of the whole upon each item.<sup>84</sup>

MR. JOHNSTON said, that that was to impose a new scale of duties entirely, this was only to make some alterations.<sup>85</sup>

MR. ((J. S.)) MACDONALD of Glengarry, still contended that the first

step to be taken, was for the House to go into Committee of the whole on every item. He found that upon the occasion alluded to, the report of the Committee of the whole was recommitted in order to ascertain the article upon which duties should be levied. It was necessary that the House discuss every article item by item, and after a determination had been come to as to what commodities should be charged, and at what rates, then the Inspector General ought to obtain leave to introduce a bill in accordance with the resolutions of the Committee.<sup>86</sup>

The Inspector General ((MR. ROBINSON)) then admitted that the precedent of '43 was against him, but remarked that as the bill was so long, and as he found that in '41 Mr. Harrison introduced a similar measure in the same manner, he thought the House would indulge him.<sup>87</sup>

MR. THOMPSON then contended that the Inspector General should pursue the right course, and that this Bill, of which he (Mr. Thompson) and other members, had not yet seen a copy, should not be forced through the House.<sup>88</sup>

MR. AYLWIN asked if any copies of the Bill had been published in French<sup>89</sup>.

The Speaker ((SIR ALLAN MACNAB)) said he believed not.<sup>90</sup>

((MR. AYLWIN)) deprecated all further proceeding till a sufficient number of copies were published in the French language.<sup>91</sup>

MR. BALDWIN and MR. ((J. S.)) MACDONALD of Glengarry then called for the opinion of the Speaker relative to the question of irregularity.<sup>92</sup>

The Speaker ((SIR ALLAN MACNAB)) after consulting the Journals decided that the bill could only be introduced according to the precedent of '43.<sup>93</sup> The hon. Inspector-General certainly could not proceed with the present measure.<sup>94</sup>

The Attorney General ((MR. J. SMITH)) then made an attempt at fight in favour of ((MR. ROBINSON)).<sup>95</sup>

((He)) was promptly called to order.<sup>96</sup>

The Inspector General ((MR. ROBINSON)) said that he had taken some care to bring in his bill according to the precedent of '41, that he had consulted the Speaker in the matter, that he was unwilling that it should be said of him that he did not know how to introduce it, and that he hoped the Speaker would withdraw his decision.<sup>97</sup>

((There were)) some cries of oh! oh!! and hear, hear<sup>98</sup>.

((Mr. Robinson)) was ... called to order by MR. AYLWIN.<sup>99</sup>

At length ((MR. ROBINSON)) withdrew his bill.<sup>100</sup>

(275)

Notice was taken that the alteration of the Duties proposed to be made in the Bill, should have been sanctioned by a Committee of the whole House, previous to its introduction.

Ordered, That the said Order of the Day be discharged.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Report on  
Education.

Annual Report of the Superintendent of Education for Lower Canada, on the present state of the schools in that part of the Province, and of education generally.

(For the said Report see Appendix Z.)

British Planta-  
tion Vessels.

The Order of the Day for the House in Committee on the Bill to secure the right of property in British Plantation vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's Reign, William the Fourth, 28th August, 1833 and intituled, "An Act for the Registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chauveau reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

The names of the Members present were taken down as followeth:--

Mr. Speaker,

Aylwin, Baldwin, Cauchon, Chauveau, Christie, Gowan, Jessup, Macdonald of KINGSTON, Meyers, Moffatt, Robinson, Seymour, Attorney General Smith and

*And at three quarters past midnight,*

*Mr. Speaker adjourned the House for want of a Quorum.*



FOOTNOTES - 18 FEBRUARY 1845.

1. This matter was reported in the MONTREAL GAZETTE, 20 February 1845, KINGSTON NEWS, 22 February 1845, and the CHATHAM GLEANER, 4 March 1845, in identical reports.
2. MONTREAL GAZETTE, 20 February 1845.
3. This matter was reported in the MONTREAL GAZETTE, 20 February 1845. LE JOURNAL DE QUEBEC, 25 February 1845, contained a commentary.
4. MONTREAL GAZETTE, 20 February 1845.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. The debate on this matter was reported by: MONTREAL GAZETTE, 20 February 1845, KINGSTON NEWS, 22 February 1845, CHATHAM GLEANER, 4 March 1845, and the EXAMINER, 5 March 1845, in accounts which are identical except that in the MONTREAL GAZETTE, KINGSTON NEWS, and the CHATHAM GLEANER, some speeches have been omitted entirely, and the KINGSTON NEWS abbreviated its reports of the speeches made; MONTREAL GAZETTE, 20 February 1845, and LE CANADIEN, 28 February 1845, in accounts identical in most respects except that the GAZETTE's report contains more speakers than LE CANADIEN's, and some of the GAZETTE's speeches are given in more detail than those in LE CANADIEN, which translated from the GAZETTE; PILOT, 19, 21 February 1845; LA MINERVE, 20 February 1845; BRITISH COLONIST, 28 February 1845; and LE JOURNAL DE QUEBEC, 25, 27 February 1845. Wherever possible the most legible account of speeches are reproduced, the MONTREAL GAZETTE and the EXAMINER being difficult to read in parts. LA REVUE CANADIENNE, 22 February 1845, contained a commentary on this debate.
13. CHATHAM GLEANER, 4 March 1845.
14. IBID.
15. IBID.
16. IBID.
17. MONTREAL GAZETTE, 20 February 1845.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.

29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. PILOT, 19 February 1845.
66. IBID.
67. BRITISH COLONIST, 28 February 1845.
68. IBID. According to the PILOT, 19 February 1845, the members generally held: "that Mr. Aylwin had a perfect right to call Mr. Moffatt to order for misrepresenting him, but that the Speaker should have been obeyed when he thought proper to interfere."
69. PILOT, 19 February 1845.
70. BRITISH COLONIST, 28 February 1845.
71. IBID.
72. PILOT, 19 February 1845.
73. EXAMINER, 5 March 1845.

74. IBID.
75. IBID.
76. PILOT, 19 February 1845.
77. EXAMINER, 5 March 1845.
78. IBID.
79. IBID.
80. IBID.
81. IBID.
82. IBID.
83. IBID.
84. IBID.
85. IBID.
86. IBID.
87. PILOT, 19 February 1845.
88. IBID.
89. IBID.
90. EXAMINER, 5 March 1845.
91. PILOT, 19 February 1845.
92. IBID.
93. IBID.
94. EXAMINER, 5 March 1845.
95. PILOT, 19 February 1845.
96. IBID.
97. IBID.
98. IBID.
99. EXAMINER, 5 March 1845.
100. IBID.

WEDNESDAY, 19 FEBRUARY 1845.

(275)

Petitions  
brought up.

THE following Petitions were severally  
brought up, and laid on the table:--

By Mr. Sherwood, of Brockville, the Petition of Andrew N. Buell  
and others, Practitioners of the Law residing out of the city of  
Toronto, (relating to the Rules of Practice in the Queen's Bench,)  
and the Petition of Andrew N. Buell and others, Practitioners of the  
Law, residing out of the city of Toronto (relating to the Law Society.)

(276)

By Mr. Stewart, of Bytown, the Petition of the Municipal Council  
of the district of Dalhousie (relating to the assessor and collector).

By Mr. Hale, the Petition of the master and wardens of the Trinity  
House of Quebec.

By Mr. Dunlop, the Petition of the Municipal Council of the district  
of Huron (relating to the township of Williams.)

By Mr. Lantier, the Petition of Abraham Charest and others, of  
the parish of St. Ignace du Coteau du Lac.

Niagara  
Incorporation.

An engrossed Bill to incorporate the town  
of Niagara and to establish a Police therein,  
was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Dickson do carry the said Bill to the Legislative  
Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the  
following Petitions were read:--

Of the Reverend W. Brethour and others, members of the Church of  
England in Ormstown, in the county of Beauharnois; of the Reverend  
James Reid and others, members of the Church of England in the parish  
of St. Armand, East; of the Reverend E. G. W. Ross and others, of the  
Church of England, River du Loup en bas and parts adjacent, in the  
county of Rimouski; of the Reverend W. Chaderton and others, members  
of the Church of England of the chapelry of St. Peter's of Quebec; of  
the Reverend R. R. Burrage and others, members of the Church of  
England at Point Levi and New Liverpool, in the diocese of Quebec; of  
the Reverend G. M. Ross and others, of the Church Society of the  
diocese of Quebec; and of the Reverend George Slack and other members  
of the Church of England, in the townships of Granby and Milton, praying



that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a share of the Clergy Reserves as shall correspond with their proportion of the income arising from the same.

Of the Municipal Council of the district of Johnstown, praying that measures may be adopted to obviate the present difficulty in the assessment of lands in the said district.

Of John Henry and others, of the township of Glanford, in the district of Gore, praying that no assignment of the Clergy Reserve Lands may be made, but that they may be sold agreeably to the provisions of the Imperial Statute 3 and 4 Victoria, chapter 78.

Of John Steel and others, of Brantford, praying that any duty which may be imposed upon Distilleries and Breweries, may be levied in proportion to the quantity of grain used in each Distillery and Brewery.

Of Miles O'Reilly and others, members of the United Church of England and Ireland, in the town of Hamilton, praying for the repeal of the Common School Act, and the adoption of some system under which religious instruction may be provided.

Of the Municipal Council of the district of Simcoe, praying that that part of West Gwillimbury, called the "Old Survey," may not be separated from the said district.

Of the Reverend James Reid and others, of the parish of St. Armand, East; and of the Reverend George Slack and others, of the townships of Granby and Milton, praying that no action may be taken with respect to the charters of King's College and McGill College, which shall not include all other chartered Institutions of learning in the Province.

Of Messieurs Thomas Hellewell & Brothers, and others, Distillers, of the city of Toronto, in the Home district, praying that the proposed duty upon stills, may be levied in proportion to their respective capacities for producing spirits by a speedy distillation.

Of Leonard H. Dunlop, of Montreal, praying for an investigation into certain complaints against the Board of Works.

Of Jean F. Ouellette, of the city of Montreal, praying that an Engineer may be deputed to examine and report upon a propelling Engine, invented by him; and that he may receive a patent, or other reward, for the same, should it be deemed worthy thereof.

Of Etienne P. Nourrie and others, of the parishes of St. Jean Baptiste de Nicolet and St. Monique, in the county of Nicolet, praying that the Sleigh Ordinance be not revived.

Of John Gilchrist, of Peterboro', praying that his claim for damages, caused by certain public works, may be investigated.

Of L. T. Besserer, Esquire, and others, of the town of Bytown, praying for the Incorporation of the said town, and the establishment of municipal authorities therein.

Of Nicolas de Voyan, alias Laframboise, of Bytown, praying to be indemnified and remunerated for his losses and services, during the late Rebellion.

Of the Bank of Upper Canada; of the Commercial Bank of the Midland District; and of the Gore Bank; praying for the repeal, or reduction of the tax imposed upon the circulating Bank paper.

Of the Municipal Council of the Midland district, praying that the said Council may have the controul over the assessments and collection of the district taxes, within the town of Kingston; and that all members of District Councils, may be exempted from serving on juries, during the tenure of their office.

Petitions  
referred.

L. Baribeau  
and others.

relating to the powers and duties of the Corporation of the Trinity House of Montreal; to Pilots and Pilotage in the port of Montreal; and to the Montreal Decayed Pilot Fund; and for other purposes.

Rev. E. G. W.  
Ross and  
others.

M. O'Reilly  
and others.

Rev. W. Bre-  
thour & others.

be severally referred to the Select Committee to which was referred the Petition of the Church Society of the diocese of Toronto, and other references.

Municipal  
Council,  
Midland  
District.

Ordered, That the Petition of L. Baribeau and others, Pilots for the port of Montreal; and between Quebec and Montreal, be referred to the Select Committee to which was referred the Bill to amend and consolidate certain Laws and an Ordinance now in force relating to the powers and duties of the Corporation of the Trinity House of Montreal; to Pilots and Pilotage in the port of Montreal; and to the Montreal Decayed Pilot Fund; and for other purposes.

Ordered, That the Petition of the Reverend E. G. W. Ross and others, of the Church of England, at Rivière du Loup en bas and parts adjacent, in the county of Rimouski; the Petition of Miles O'Reilly and others, members of the United Church of England and Ireland, in the town of Hamilton; and the Petition of the Reverend W. Brethour and others, members of the Church of England, in Ormsdown, in the county of Beauharnois;

Resolved, That the Petition of the Municipal Council of the Midland district, be referred to a Select Committee, composed of Mr. Seymour, Mr. Smith of Frontenac, Mr. Meyers,

Mr. Hall, and Mr. Roblin, to examine the contents thereof, and

(277)

to report thereon with all convenient speed; with power to send for persons, papers, and records.

Small Debts.

The Honourable Mr. Solicitor General Sherwood, from the Select Committee, to which was referred the Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the laws now in force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor," reported to the House that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Friday next.

Insolvent Debtors.

The Honourable Mr. Solicitor General Sherwood, from the Select Committee, to which was referred the Bill for the relief of Insolvent Debtors, reported to the House that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Friday next.

Petition of the Church Society of the Diocese of Toronto.

The Honourable Mr. Solicitor General Sherwood, from the Select Committee to which was referred the Petition of the Church Society of the diocese of Toronto, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

The Committee to which was referred the Petition of the Church Society of the diocese of Toronto, and other Petitions, signed by many thousand persons, members of the United Church of England and Ireland, resident in the said diocese of Toronto, and the diocese of Quebec, praying to have the controul over, and the disposition and management of their respective shares of the Clergy Reserves, as is equivalent to the proportion of the funds assigned by the provisions of an Act of the Imperial Parliament, passed in the fourth year of Her Majesty's Reign, for the support of the Church of England, beg leave respectfully to report:--

That by the said Act, entitled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof," the Government of this Province is empowered to sell all, or any of the Clergy Reserves, under regulations to be approved by Her Majesty in Council; and that the proceeds in money to be derived from the sale and leasing of the Clergy Reserves, after the deduction of certain allowances, which are specified in the said Act, and directed to be divided into two equal parts, one of which is to be distributed in certain proportions between the Churches of England and Scotland, and the other part to be applied by the Governor of this Province, with the advice of His Executive Council, for purposes of public worship, and religious instruction in Canada.

From the foregoing provisions, it appears to your Committee, that it was not the policy of the Imperial Parliament at the time of the passing of the said Act, to apportion the said lands among the denominations of Christians, whose claims were therein recognized, but rather to place the Clergy Reserves at the disposal of the Government to be sold, and the proceeds to be divided in the proportions mentioned in the said Act.

Your Committee, however, have given the subject, and the matters set forth in the various Petitions referred to them, their best consideration, and they are led to doubt the utility or expediency of such a policy, and particularly when they cannot but consider, that at the time those lands were originally set apart for the support of religion, and the maintenance of public worship, it was thereby intended to create an adequate fund, to form a permanent endowment for those important objects.

And when it is further borne in mind, that the members of the Church of England, inhabiting the state of New York, are at this day enabled to erect their Churches, and station their Missionaries in every section of that extensive country, by the aid of funds provided by the pious care of a British Monarch, when that country was a British Colony; that the numerous Dutch population of the same State, are supplied with Pastors, from ample funds, provided also at an early day by the care of the Government; and that in both these cases, the foundation of the endowment was a grant of Land, insignificant in extent and value at the time it was made, compared with the Clergy Reserves set apart in this Colony, by His late Majesty, King George III.; but which grants being scrupulously preserved and respected by succeeding Governments, now yield most munificent resources for the support of religion.

When your Committee also take into consideration, that our Roman Catholic fellow subjects in Lower Canada, are enjoying at this day the



most ample endowment for their Church and Colleges, arising from only grants of Land which, if alienated at the value they once bore, would have afforded but a nominal provision, wholly inadequate to the wants of the passing hour; they feel strongly the impolicy of the provisions of the Act to which they have referred, and the justice of the claims set forth by the Petitioners. Besides, it is stated in the Petition of the Church Society, "that the Petitioners have observed with great regret, that under the system which has been adopted for the sale of the Clergy Reserves, and from the great deduction from the proceeds for the expense of inspection and management, their share of the fund, which has been appropriated by the Legislature to the religious instruction of the people, is likely to be in a great measure consumed, in charges which to them appear unnecessary, and to so great an extent, that they are apprehensive that it will yield little more than a nominal provision for the support of the Church." To this portion of the Petition, your Committee have devoted a good deal of attention, and it appears to them, that a very large and unnecessary degree of expense has been incurred in the manner pointed out by the Petitioners.

By certain public returns made by the Commissioner of Crown Lands, and by the Surveyor General, and laid before the Legislature, in compliance with an Address of the 9th October, 1843, it appears that the sums which are realized from the sales of the Reserves, are, in great measure, sunk in the expense of management, and in defraying the general charges of the Land-granting Department.

Your Committee find, that, in addition to a deduction of 5 per cent. Out of all moneys received by the District Agents, and besides the charge of remunerating a large number of Inspectors of Clergy Reserves, who have been appointed to be paid by the day, at a rate not specified in the Returns, the proceeds of these lands are also charged, by an order of the Government made in August, 1841, with forty per cent. for the expense of the Crown Land Department. Up to the time of that return, it appears that in Lower Canada there had been no sales of Clergy Reserves since the 1st January, 1838, and that since the Union of the Provinces not more than about £1150 had been received on account of the funds, while £609, or more than one-half of the whole amount received, had been charged against it as disbursed for expenses.

In the first half of the year 1843, the whole moneys collected in Lower Canada seem not to have exceeded £75 16s. 6d, while the disbursements charged against the fund are £431 9s. 2d.

In Upper Canada it appears, by the same documents, that the sales of Reserves had been few for some time previously, though large sums had been received on account of previous sales.

In the year 1842, the collections amounted to £18,000, and the disbursements to £5196.

(278)

For the year 1843, the amount collected up to the 1st July is stated at about £7000; and the charges at £1763 11s. 3d.; and while so large a sum as that above mentioned has been charged against the fund for disbursements, there appears to have been only a sale of two hundred acres effected during that period at the price of £90.

From the information above stated, it appears to your Committee that there is really no proportion or connexion whatever between the service rendered to the fund, and the charges which are imposed upon it.

Your Committee, therefore, for the considerations stated, beg leave respectfully to suggest to your Honourable House to adopt an Address to Her most Gracious Majesty, beseeching Her Majesty to recommend to the Imperial Parliament, to amend the said Act passed in the fourth year of Her Majesty's reign, so as to place at the disposal of the Church of England their share of the said Reserves in Upper and Lower Canada, to be controlled and managed by the respective incorporated Church Societies of the dioceses of Toronto and Quebec, and to intrust to other denominations entitled to a share of the Clergy Reserves fund, the same advantages should they so desire.

Toronto and  
Lake Huron  
Railroad  
Company.

The Honourable Mr. Solicitor General Sherwood, from the Select Committee, to which was referred the Petition of the City of Toronto and Lake Huron Railroad Company, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

The Committee, to which was referred the Petition of the Toronto and Lake Huron Railroad Company, beg leave to represent, that by an Act of the Parliament of Upper Canada, passed on the 10th day of April, 1836, the said Company was incorporated with power to construct an iron or wooden railroad or way, between the city of Toronto and some portion of the navigable waters of Lake Huron, within the limits of the Home district.

That stock to a very large amount was taken up, and the Company proceeded with the necessary surveys, and had plans and specifications of the entire route made and completed at a very heavy expense. The undertaking having thus been commenced with every prospect of success, the unhappy troubles of 1837 began; and owing to the depressed state of the country consequent thereon, your Petitioners state they were compelled to abandon their intentions for some time. But that within

*the last twelve months public attention has been called to the subject, and that it has been suggested to them that a planked or blocked road would better suit the circumstances of the country--that it would at the same time have an almost equal tendency to develop its resources.*

*That a railroad would mainly depend for support on foreign travel and traffic, whilst a planked or blocked road would be of immediate benefit to the districts and countries through which it might pass; that it would be much less expensive, and might be brought into use at a much earlier period.*

*In this view of the case, your Petitioners pray for an amendment in their Act of incorporation, so as to put it into their power, if they think fit, to construct a planked or blocked road, or a railroad, in their discretion; which your Committee beg leave to recommend to the favourable consideration of your Honourable House.*

*Your Committee beg leave also to recommend, in pursuance of the prayer of the Petitioners, that the said Act may be further amended by leaving it in the discretion of the said Company to fix the terminus of the proposed road to Lake Huron, at such point as they may deem most advisable, without confining it to the Home district; and that the time limited for the completion of the said road, which will expire in less than two years, be extended to a period of four years.*

*Your Committee have been led to recommend the terminus of the said road to be in the discretion of the said Company, not only from a conviction that it will be important to make the route as short as possible, but that it will be desirable to lay it down in such a manner as will, in addition to the benefit which will be derived from it in opening an unsettled country, be calculated to invite to the Province, and through it foreign travel and foreign commerce.*

*Upon the subject as regards its bearing in these respects, and with a view to the advantage of all sections of that vast and fertile portion of Canada, which lies between Lakes Huron and Ontario in a Northerly and Westerly direction from Toronto, your Committee have devoted a good deal of time and consideration. The prominent places on the Southern shore of Lake Huron within the limits of this Province, which are now attracting much attention, are Penetanguishine, Owen's Sound, Sarnia, and Goderich; the main travelled road leading from Toronto to the interior of the country in a Northerly direction is the natural line of communication in connexion with the inland waters of Lake Simcoe, with Penetanguishine on Lake Huron. This road has been much improved within the last four years, and from its being one of the main travelled roads of the Province, there can be little doubt but that this route in a short time will be made complete.*

A road has been also laid out and made nearly passable by the Government from the township of Nichol, a distance Westerly of about 55 miles from Toronto to Owen's Sound on Lake Huron; and it has been suggested, and your Committee have reason to believe, that it is in contemplation to lay out another road from the township of Woolwich, about ten miles farther west, to Sarnia on Lake Huron, about twenty miles above Owen's Sound.

These two roads, when the latter is completed, will pass through a most fertile and eligible tract of country for settlement, and which is yet in the hands of Government, and in an entirely wild state. In the course of their inquiry, it was suggested to your Committee, and they see every reason to approve of the suggestion, that the contemplated road proposed to be constructed by the Toronto and Lake Huron Railroad Company should have its termination at Goderich, a town and harbour established by the Canada Company, upon the tract of land purchased by them from the Government some years ago, and that it ought to be undertaken and completed as a portion of the public works of the Province.

Should this route be ultimately determined on, and adopted, it would possess many and superior advantages over any other. The roads already mentioned from Owen's Sound, and Sarnia, in Lake Huron, would intersect it, and thereby afford the inhabitants who may hereafter occupy the section of country through which they may pass, the facility of an easy access to market; and besides, they will enhance four hundred fold the present value of the Public Lands in that section, which may be estimated in round numbers, at 5,000,000 of acres.

Such an understanding would unite all the various local interests in the North Western portion of this Province, which hitherto have been, as your Committee are willing to admit, of necessity neglected; the distance from Toronto to Goderich, in the probable direction which such a road would take, is about 127 miles. On extending it from Toronto, it would pass through the townships of York, Etobicoke, Toronto, Esquesing, Trafalgar, Nasagaweya, and Eramosa, a distance of about 55 miles. The Land in these townships is of the best quality, and the lots are almost all occupied, and in a state of advanced improvement. From thence it would pass through the township of Nichol, which is also thickly inhabited, having the flourishing town of Guelph about six miles to its South, and from thence it would pass through the townships of Peel and Maryborough, both of which are set apart for the support of the Clergy, though the former is as yet unsurveyed; thence its course would be through the unappropriated and unsurveyed Lands of the Crown, for the distance of about 50 miles, until it would reach the Huron tract, the property of the Canada Company, as before mentioned; through this part it would pass about 14 miles, till it reached the harbour at Goderich. The general advantages which



this route would confer upon the country, by affording increased facilities to trade, commerce, and agriculture, would be immense, the foreign trade; as well as travel, which would by the construction

(279)

of such a road, be drawn through the Province, would of themselves abundantly repay a much greater outlay than would be required. The course of trade from Chicago and the Western shores of Lake Huron is through Lake Huron, and Lake St. Clair, into Lake Erie; thence to Buffalo, or through the Welland Canal, into Lake Ontario. The length of time required to accomplish this journey, has been found a great drawback to trade. After passing through Lake Huron to Sarnia, at the head of the St. Clair, the distance to Buffalo is upwards of 400 miles, and by water to Rochester nearly 500 miles. The distance from Chicago to Sarnia is about the same as from Chicago to Goderich. The distance from Goderich to Toronto has already been stated at 127 miles making in favour of the proposed route, over the present, a saving in distance of upwards of 200 miles. The ordinary time which is now taken by a Steamer to go from Sarnia to Buffalo, is from 72 to 84 hours; whereas a traveller by the way of Goderich, in the event of the proposed improvement being made, would be able to reach Rochester in 20 hours.

Besides, it is estimated, and your Committee believe correctly, that exclusively of the said townships set apart for the support of the Clergy, there would be at least 70,000 acres of Land, at present unsurveyed and ungranted, adjoining the said road, the value of which, even if an ordinary road were constructed through it, would not be more than 5s. an acre, or £17,500, would be immediately increased in value to £70,000 at least; and the Land six miles in depth on either side of such a road, comprising upwards of 400,000 acres, would be thereby trebled in value, and become densely populated; whereas it is now a perfect wilderness, and likely to remain so for many years to come, unless some efforts are made by the Government and Legislature, to bring about the improvement to which your Committee have now called the attention of your Honourable House.

On motion of Mr. Scott, seconded by Mr. Dunlop,

Montreal College  
of Medicine and  
Surgery.

Ordered, That the Order of the Day for the House in Committee on the Bill to incorporate the Montreal College of Medicine and Surgery, lost by the adjournment of the House of

Monday last, be revived, and that this House do resolve itself into the said Committee on to-morrow.

Court of Chan-  
cery, Canada West.

Mr. Macdonell, of Dundas, moved, seconded by Mr. Macdonald, of Glengarry, that this House do now resolve itself into a Committee of the

whole House, to take into consideration the expediency of repealing the several laws relating to the Court of Chancery in Canada West, and to extend further equitable jurisdiction to the Court of Queen's Bench in Canada West aforesaid.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

## YEAS.

Armstrong, Eoulton, Chabot, Chalmers, Cummings, DeBleury, Dewitt, Greive, Guillet, Hale, Hall, Jessup, Laterrière, Laurin, Macdonell of DUNDAS, Macdonell of STORMONT, Merritt, Moffatt, Murney, Papineau, Powell, Scott, Seymour, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Thompson and Williams.--(28.)

## NAYS.

Baldwin, Fernelot, Bertrand, Brooks, Cauchon, Christie, Desautier, Dickson, Dunlop, Ermatinger, Jobin, LaFontaine, Leslie, Méthot, Morin, Robinson, Rousseau, Solicitor General Sherwood, Stewart of BYTOWN, and Taschereau.--(20.)

So it was carried in the affirmative.

The House accordingly resolved itself into the said Committee.

Mr. Thompson took the chair of the Committee,<sup>1</sup>

MR. ((G.)) MACDONELL, Dundas, moved a resolution to the effect that it was expedient to abolish the Court of Chancery, and to extend its jurisdiction to the Court of Queen's Bench.<sup>2</sup>

It was opposed by MESSRS. ATTORNEY GENERAL ((J.)) SMITH, Solicitor General ((H.)) SHERWOOD, DR. DUNLOP, MURNEY, ((R.)) MACDONALD (Cornwall), COL. PRINCE, MESSRS. BALDWIN, ((G.)) SHERWOOD, Brockville, MEYERS.

The ground of opposition was that there had been a commission issued to report upon the Court of Chancery; that that report would be laid before the House in a few days, when it would be time enough to go into the matter. It was acknowledged that there were abuses in the practice of the Court of Chancery; but it was held that these might be amended without such a sweeping measure as the abolition of the Court itself, without any data for such a proceeding before the House.<sup>3</sup>

MESSRS. ((G.)) MACDONELL of Dundas, ((J. S.)) MACDONALD of Glengary (sic), and COL. WILLIAMS supported the resolution.<sup>4</sup>

(279)

and after some time spent therein,

Mr. Speaker resumed the chair.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER.

Outrages on  
Public Works.

The Legislative Council have passed the Bill, intituled, "An Act for the better preservation of the Peace, and the prevention of

Riots and violent Outrages at and near Public Works, while in the progress of construction," without any amendment.

And then he withdrew.

Ordered, That Mr. Lantier be added to the Select Committee, to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine, and other parishes, and other references.

MR. INSPECTOR GENERAL ROBINSON<sup>5</sup> said, that in consequence of the decision of the Speaker upon the previous evening, that the course taken in the introduction of the Customs Bill was informal, he now moved to withdraw it.<sup>6</sup>

MR. AYLWIN said that he had had occasion before to remark upon the manner in which the public business was conducted by the present administration, and those remarks had been felt to be severe. He now felt called upon by the peculiar position he occupied in that House to make this statement. The hon. Commissioner of crown lands had introduced a bill which he had been obliged to withdraw; the Attorney General had introduced a bill and ((had)) been compelled to withdraw it; and the Inspector General had introduced two bills, both of which had been withdrawn--all on account of irregularity. He did not desire to wound the feelings of gentlemen opposite, but he felt it due to himself as a member of that House to make this observation that the country might understand it. The last administration had been called a "bungling administration;" he could well understand that it would have deserved such a name if it had committed as many blunders as had been committed by the present one during this session.<sup>7</sup>

MR. ROBINSON said, if he had committed a blunder, it was one for which he had a precedent. The course now pursued was identical with that taken by Mr. Harrison on the introduction of a precisely similar measure, in 1841. He contended that it was therefore perfectly in accordance with the practice pursued in England, and as it was desirable

to assimilate the practices of the two countries, the course he now proposed to follow was that of England, to present to the House two resolutions, the one embodying the preamble of the bill, and the other the tariff filled up. In this shape it would be laid upon the table of the House, and any member would have an opportunity to see the proposed duty upon each article; and when the bill went into committee it would be competent to them to oppose or modify any individual duty.<sup>8</sup>

MR. BALDWIN said, he was surprised at the remarks of the Inspector General. He ought to have done him the justice to have said that Mr. B. had pointed out the error in the course pursued in private conversation on the day the bill was introduced. It was not compulsory upon him to make his objection at this time, he might if he had chosen, deferred his objection until the third reading of the bill, and then have sent it back to rectify the error made in the outset. The course proposed to be taken by the Inspector General might, or might not be correct; there appeared to be some difficulty about it as the question must be put upon every article, as the whole duties could not be voted in block; and he considered it would be better to move a resolution on each item, as great interests might be involved in the duty imposed on a single article. If there were precedents for the practice proposed, he should not object to it. It was necessary that in all subjects of finance and taxation that parliamentary practice should be scrupulously followed, as it had been remarked by the Speaker upon a previous evening; if the rules of the House were to be dispensed with, it was better to have no rules at all. The Inspector General in taking the course he proposed, must do so at his peril, if it was borne out by precedent all well and good; but if it was not, he should take his own time to oppose it.<sup>9</sup>

MR. MOFFATT said, he agreed with the hon. member in the necessity of the strict observance of the rules of the House; but he could not allow the doctrine to be correct, that a Bill informally introduced could be opposed when it had gone to the third reading. The Inspector General was not liable to the censure cast upon him; he was borne out by the precedents of that House. The Bill introduced by Mr. Harrison in 1841 was in its principles and details the same as this; and having examined the Journals of the House he found that the course intended to have been followed in the present case was, from first to last identical with that pursued upon that occasion, when the Bill passed the House without objection. He considered that the course the Inspector General now proposed to follow was more regular because it was the English one. The precedent of 1843, did not apply to the present case, the Bill introduced at that time established a new system of protection upon Agricultural Interests, and it was then necessary to move the duties seriatim, and to take the sense of the House upon each item.<sup>10</sup>

MR. ATTORNEY GENERAL ((J.)) SMITH said, he had been too late upon the former evening to offer a few observations upon the course



pursued by the Inspector General. He held in his hand the Bill introduced by Mr. Harrison in 1841; that Bill was identical with the one now before the House, and the course then followed was the same as that which had been taken on this occasion. This was the only precedent upon the Journals of the House since the Union, on the introduction of a Bill of similar character; and he therefore considered that no blame attached to the Inspector General for the course he had taken. The Bill of 1843, was not a case in point; that Bill introduced a new system of taxation, an altogether new line of policy; and it was necessary that in every step the sanction of the House in Committee should be obtained to the duties it imposed. What real difference was there in the introduction of a measure of this description by a series of resolutions, and introducing a simple Customs Bill with a tariff, with a resolution that it is expedient to tax certain articles, followed in Committee by resolutions filling up the blank Schedule? The course now intended to be pursued was the English one, and if it was the opinion of the House that it should obtain, the precedent would be now established for the first time. With respect to the allusion of the honble. member for Quebec to the Bill of the Commissioner of Crown Lands, that gentleman must feel greatly relieved after having drawn the attention of the House thereto. He trusted that he felt better after having performed that great and onerous duty. When the time came to debate that great error, he (Mr. S.) would be prepared to answer him; he should now say no more about the subject, but wait until the time when the whole measures of the Government would be reviewed.<sup>11</sup>

MR. AYLWIN said, the Attorney General remarked that an occasion would occur, but he could not get that occasion, for the time had passed over. - The blunder had been committed and recorded in the Journals of that House. It was too bad to say that an opportunity would occur to expose that blunder, when there was already evidence of it upon the Journals.<sup>12</sup>

(279)

Customs.                      Ordered, That the Honourable Mr. Robinson have leave to withdraw the Bill, to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Customs, and for granting Duties of Customs.

*The said Bill was withdrawn accordingly.*

Resolved, That this House will, on Friday next, resolve itself into a Committee of the whole House, to consider the expediency of repealing certain Acts imposing duties on Customs, and for other purposes connected with the Revenue, and for enacting others in lieu thereof.

*On motion of the Honourable Mr. Morin, seconded by Mr. Guillet,*

Private Bills.                      *Ordered, That the time for receiving Reports of Select Committees on Private Bills be further extended ten days, beyond the period to which it was last limited.*

Judicial Sales of Land.                      *Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill for securing Enchères or Biddings, and to determine the days of adjudication in judicial sales of land.*

*He accordingly presented the said Bill to the House,<sup>13</sup>*

The hon. gentleman ((MR. AYLWIN)) explained that the intention of this act was to establish in Lower Canada the system which would have obtained there if the country had continued under the Government of France.<sup>14</sup>

(279)

*and the same was received and read for the first time, and ordered to be read a second time on Monday next.*

Leave of absence.                      *Ordered, That Mr. Brooks have leave to absent himself from this House for seven days from to-morrow inclusive.*

Railroad, Province Line.                      *The Order of the Day for the second reading of the Bill, to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province Line, in the township of Stanstead, being read,<sup>15</sup>*

MR. BROOKS in moving the second reading of the Bill to Incorporate a Company to construct a Railroad from the St. Lawrence to the Province line, said that this was one of those fortunate Bills which contained nothing relative to politics, and upon which all parties could agree. He moved that after it was read it should be referred to the Committee upon Private Bills.<sup>16</sup>

(279)

*The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.*

Limited Partnerships.                      *The Order of the Day for the second reading of the Bill, to authorize the formation of Limited Partnerships in this Province, being read,*

*The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Merritt, the Honourable Mr. LaFontaine, the*

Honourable Mr. Moffatt, Mr. Leslie, and the Honourable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.<sup>17</sup>

Salmon and  
other Fisheries  
Gaspé.

The Order of the Day for the second reading of the Bill, to enable the local authorities in the district of Gaspé to provide Bye-laws, Rules, and Regulations, for the preservation

(280)

of the Salmon and other fisheries therein, and for certain other local and municipal purposes therein mentioned, being read,

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Christie, Mr. Leslie, the Honourable Mr. Laterrière, Mr. Bertrand, and Mr. Taché, to report thereon with all convenient speed; with power to send for persons, papers, and records.

College of  
Regiopolis.

The Order of the Day for the second reading of the Bill, to authorize the conveyance of certain Real Estate to the College of Regiopolis, and to enable the said College to acquire and hold real property to a certain amount, being read,

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Limitation of  
actions.

The Order of the Day for the second reading of the Bill for the limitation of actions, for avoiding Suits at Law; and for rendering a written memorandum necessary to the validity of certain promises and engagements in that part of the Province which heretofore constituted the Province of Lower Canada, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House, to-morrow.

Sheriff's Office,  
Upper Canada.

The Order of the Day for the second reading of the Bill, for the better regulation of the office of Sheriff, in that part of Canada, formerly Upper Canada, and for other purposes therein mentioned, being read,

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Macdonell, of Dundas, Mr. Macdonald, of Glengarry, Mr. Sherwood, of Brockville, Mr. Hall, and Mr. Williams, to report thereon with all convenient speed; with power to send for persons, papers, and records.

*Ordered, That it be an instruction to the said Committee to add a clause to the Bill, to fix the office-hours of the Clerks of the Peace, the District Treasurer, and the Clerk of the District Court.*

Claims upon  
Executive  
Government.

*The Order of the Day for the House in Committee on the Bill, to provide a legal recourse to Her Majesty's subjects in this Province, having legal or just claims upon the Executive Government thereof, and to enable Her Majesty the more effectually to do justice in such cases, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Jessup took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Jessup reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.*

*Ordered, That the said Bill be engrossed.*

Legal Proof  
of Marriages.

*The Order of the Day for the second reading of the Bill to provide for the legal proof and preservation thereof, of certain Marriages formerly had before Justices of the Peace, in the late inferior district of Gaspé; Births, Baptisms and Burials therein--being read,*

*The said Bill was accordingly read, and referred to the Select Committee, to which was referred the Bill to enable the local authorities in the district of Gaspé, to provide Bye-laws, Rules, and Regulations for the preservation of the Salmon and other fisheries therein; and for certain other local and municipal purposes therein mentioned.*

Protection of  
Wild Fowl.

*The Order of the Day for the House in Committee on the Bill to protect Wild Fowl, and to prevent them from being destroyed at improper seasons of the year, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. DeWitt took the chair of the Committee,<sup>18</sup>*

MR. ((G.)) MACDONELL, (Dundas,) said: - Father, - Listen to the words of one of the countrymen of Tecumseh, and let my white brethren open their ears. My brother, the Great Chief who sits in the Great



Council of the country towards the setting of the sun, wishes to make a new custom among the people - it is not good. I looked for better things from my brave and wise brother. The pale-faces who sent me to this Great Council, before they did so, taught me some things. They have been good to me, and I will be faithful to them. I will also speak for my red brethren too. The first book which the pale-faces put in my hands was the Bible, and there it is said by Moses a great sachem of the same nation as my people, that the Great Spirit made the beasts on the earth, the fishes in the waters, and the birds of the air for his children, that when they were hungry they might kill and eat - then wherefore this new custom? Our Great Mother across the big Salt Lake gives powder and lead to her red children to hunt, and said to them this "I will always do," - does she speak with a forked tongue? - No! You have left my people the red-skins, in their own country where the wigwams of their fathers stood more moons ago than can I count, when they hunted through the great woods from the setting to the rising sun - in the country where their homes are laid - scarcely room enough to spread their blankets - let them hunt. Would you make old women of them? they are men. Let the young men of the pale-faces hunt too - tell them to go forth, let them kill to eat, and make presents to the young women of their tribes. Let them hunt and carry most to their lodges and feed their old people, whose limbs have grown stiff, and who are not able to hunt for themselves, like my old brother the Huron Chief. My brother is an old man, the snows of many winters have made his head very white - he is old and very wise - he is like an aged hemlock, the winds of seventy winters have whistled through his branches, but he is alive at top. He is as wise as a beaver, but without his teeth, the flesh of the muskrat is good for him, - let the young Hurons go forth and bring muskrats and birds to my old brother's lodge - let not my old brother die. Is my brave and wise friend afraid the muskrat and the bird will disappear before the young men? - do the wars of the great tribes of the earth make men scarce? - No! When the muskrats and the birds disappear let my brother blame the axe and the plough of the pale-faces. When my people were as many as the leaves of the forest, they hunted, and they did not want, but when the pale-faces came with new customs the game ran away. Father, I have said it - Let my brother from Lorette speak.<sup>19</sup>

Chacune des clauses passait sans trop d'opposition<sup>20</sup> .

M. WEBSTER fit un amendement dont le but était d'empêcher de faire la chasse le dimanche.<sup>21</sup>

Cet amendement fut repoussé par les Canadiens-Français<sup>22</sup> .

Les membres du Haut-Canada ((l'ont supporté))<sup>23</sup> .

M. BALDWIN est le seul qui ait voté contre ces derniers dans cette occasion. Si le Haut-Canada, dit-il, veut une loi par laquelle il ne sera pas permis de chasser le dimanche, je suis prêt à la supporter, pourvu qu'on ne cherche pas à l'imposer à ceux qui ne la veulent pas, et qu'on n'introduise pas une clause qui touche à quelque chose de si grave, dans une mesure qui y est entièrement étrangère.<sup>24</sup>

M. LATERRIERE proposa d'exempter son comté de l'effet de cette loi<sup>25</sup>.

Ce((ci)) fut accepté.<sup>26</sup>

M. M. LAURIN et CHAUVEAU en firent autant pour leurs comtés<sup>27</sup>.

M. PRINCE ... demanda l'ajournement du comité.<sup>28</sup>

(280)

*and after sometime spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. DeWitt reported that the Committee had made some progress, and directed him to move for leave to sit again.*

*Mr. Speaker having put the question,*

*Shall the Committee have leave to sit again?*

*The House divided thereon, and the names being called for, they were taken down as followeth:--*

YEAS.

*Baldwin, Boulton, Chalmers, DeWitt, Dunlop, Foster, Hale, Johnston, Macdonald of GLENGARRY, Macdonell of STORMONT, M'Connell, Morin, Powell, Petrie, Prince, Robinson, Roblin, Thompson and Webster.--(19.)*

NAYS.

*Armstrong, Aylwin, Bertrand, Cauchon, Chabot, Chauveau, Guillet, Lacoste, Lantier, Laterrière, Laurin, and Méthot.--(12.)*

*So it was carried in the affirmative.*

*Mr. Lantier then moved, seconded by Mr. Chabot, that the said Committee have leave to sit again on this day six months.*

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

## YEAS.

Armstrong, Aylwin, Baldwin, Bertrand, Cauchon, Chabot, Chauveau, Guillet, Hale, Lacoste, Lantier, Laterrière, Laurin, M'Connell, Méthot, Morin, Powell, Robinson, Roblin and Williams.--(20.)

## NAYS.

Boulton, Chalmers, DeWitt, Dunlop, Foster, Johnston, Macdonald of GLENGARRY, Macdonell of STORMONT, Petrie, Prince, Thompson, and Webster--(12.)

So it was carried in the affirmative, and

Ordered, That the said Committee have leave to sit again on this day six months.

Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.

Then, on motion of Mr. Macdonald, of Glengarry, seconded by Mr. Foster,

The House adjourned.

APPENDIX, 19 FEBRUARY 1845.

((WITHDRAWN MOTION FOR ADDRESS RE: SMALL CAUSE COURT AT  
LA BAIE DU FEBVRE.))<sup>29</sup>

MR. WATTS moved for a humble address to His Excellency the Governor-General, praying that he would be graciously pleased to communicate to this House the reason why no notice had been taken of a petition praying for the establishment of a Small Cause Court in the Parish of La Baie de Febvre sent to Mr. Sec. Daly, and why the receipt of the same had not been acknowledged.

Mr. Watts explained that a petition had been presented by the inhabitants of Drummondville to the Head of the Executive through Mr. Daly, for the appointment of Commissioners. No answer was received to this petition, neither was there any notice taken of it. Application was then made to Capt. Higginson through whose instrumentality the prayer of the petition was taken into consideration, and the Commissioners appointed. The inhabitants of La Baie de Febvre made a similar application and with like results, no notice whatever was taken of their petition, Mr. Secretary Daly did not even acknowledge its receipt. When the petitioners found that those of Drummondville had gained their object they ascertained the manner in which they had done so, and followed the same course, addressing Capt. Higginson on the subject. But that gentleman informed them that this was not the proper course, and that the application must be made to Mr. Daly. The application was then repeated, but Mr. Daly had not thought proper to return any answer thereto, although six weeks had elapsed since that time, but still no answer had been received. He therefore felt the only course left was the one he now proposed to adopt.<sup>30</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, the motion before the House was a most extraordinary one, it was an enquiry of the Head of the Executive why he had not done a certain act he ought to have done, and why an officer of the Executive had not given an answer to a petition. If the time of the House was to be taken up with such motions as this, it could not be wondered at if delays occurred. He protested against this proceeding. If any member of the Government had not done his duty, there was a Constitutional course open to the mover of this resolution, without addressing the Head of the Executive upon such trifling matters. He would state to the House the facts of the case: - The memorial was received upon the 13th of May, and was found to be irregular, there being but two certificates attached thereto instead of three, as required by law, it was therefore defective in an essential particular; neither were the names of the intended Commissioners contained therein, but three persons were named in a postscript without a signature. A private letter was addressed by the Secretary to the member for the County upon the subject, and he in his reply stated that it was not desirable nor desired that Commissioners should be appointed. In this state the matter remained until October, when another application was made, but the Elections coming on at the time



prevented attention being paid to it. Pressue of public business had since delayed the matter. Upon application having been made by the member for the County, immediate action was taken upon it, and the Commission was now nearly ready to issue. He trusted that the member who had moved this resolution, would another time be more particular in his enquiries before he adopted a line of conduct which was not to the public advantage.<sup>31</sup>

MR. WATTS said, that the law required the application of 100 inhabitants for the granting of a Court, this application had been made, and it was now said that it was informal. But no answer was returned to that application, and how were the inhabitants to know its irregularity; its receipt had not even been acknowledged. He now heard that it had been referred to the member for the County, as if his opinion were required, and he was to be the Judge of what the people wanted. If such were the case, what was the use of the law, when it was possible for a man of vindictive feeling to deprive a portion of the country in which, he was unpopular and unsupported of the privileges it gave them, and make it to be governed by a party. The Attorney General had objected to the course which he had pursued, and said there was a Constitutional course open to him; he was aware there was, and he might find that this was but a preliminary step to that; he did not say whether it was or not.<sup>32</sup>

Cheers from the opposition.<sup>33</sup>

((MR. WATTS continued:)) The member who had been applied to, and who had stated that Commissioners Courts were not required by the people had, told them of that letter, or his reply? They were now told that the prayer of the petition had been delayed because the Elections were coming on, was that a reason why the Secretary or his Clerks should neglect their duty? He could not subscribe to such a doctrine, nor was he sorry that he had brought forward this motion. He considered when a public officer neglected to perform his duty, it was perfectly competent to a member to move to ascertain whose fault it was. He did not blame the Governor General for it, but he believed it originated in the incompetency of Mr. Secretary Daly.<sup>34</sup>

Cheers from the opposition.<sup>35</sup>

((MR. WATTS continued:)) After the explanation given by the Attorney General, he would withdraw his motion.<sup>36</sup>

((POSTPONED MOTION FOR ADDRESS RE: COMMUTATION OF SEIGNORIAL TENURE.))<sup>37</sup>

MR. AYLWIN moved to resolve that an humble address be presented to Her Majesty praying for the Repeal of those portions of the Acts 5th

George IV. chap. 119, and 6th George IV. chap. 59 - that relates (sic) to the commutation of lands in Canada, and converting the holding into free and common soccage. In making this motion he would state to the House that through the influence of certain persons, and the improper interference of the Home Government, power had been given to Seigniors to exert an improper and oppressive influence over Censitaires. The influence of a man who would not soon be forgotten in Canada, of a small man in England, and the owner of Seignory in Lower Canada, had been sufficient to get a clause smuggled into an Act for Regulating the trade of Canada, which provided for the confirmation of the feudal tenure as between the Crown and the Censitaire. But that Act benefited the Seignior only and not the Censitaire. This had occurred in bad times, and such an Act could not occur again. The individual who had presumed so far in a colony so great as this knew well that he dare not try such a scheme again; and although that individual was connected with legislative matters which occupied the attention of the House this and the last Session he knew well that Canada was a country which would be trifled with no longer. The attention of the House had been called to the important subject of the Commutation of the Feudal Tenure. The hon. Attorney General had been one of the Commissioners of the enquiry into the abuses of the Seigniorial Tenure, the consideration of which ought to have been enforced long since. In consequence of the clause which had been smuggled into the Imperial Acts a large portion of the territory of Lower Canada subject to the Seigniorial Tenure had been converted into free and common soccage holding, and passed into hands of strangers and speculators, men who were altogether exempt from the duties of the original grantee. Such had been the case with the Seigniority of Beauharnois. Every one of those who was able to put his hand into his pocket, commuted with the Crown, and then compelled their censitaires to commute with them. Such had been the case in Beauharnois where the censitaires were compelled to hold their lands in free and common soccage instead of under the old feudal system. The individual who was the former proprietor of this Seigniority, and who was connected with the Ministry at home, was called the Right Hon. Edward Ellice; it was he who contrived the section of the Canada Trade Act of which no individual in this country ever knew anything until it had become law. By the action of that clause every speculator who could scrape a few pence together commuted with the Crown, and then set the censitaires at defiance. These persons who had fostered the abuses of the Seigniorial Tenure, those who had occasioned all the mischief were not the Seigniors of the country, they were not those who lived with the censitaire who earned their dues by the sweat of his brow, but they were strangers and foreigners. He had been taxed upon a previous occasion with indifference to the wrongs of the people, but no one was more willing to ensure justice to both the Censitaire and the Seignior. He found fault with the Absentee Seigniors, the Absentee Lords against which the outcry had been raised, and justly in Ireland and England. But there you know and can name the individual, but here it was some paltry, back alley, speculating concern of individuals so

small and so mean that they could not be held up, and there was no dealing with them. He would like to be able to grapple with names, that so they might be damned to everlasting shame, that was the way to deal with them. He believed there was no member of that House who had a knowledge of the affairs, and the manner in which the clauses were passed, but would vote for the motion he proposed. And he trusted when the object of the Address was obtained, all these clauses would be remedied, and no man in England would be able by his acquaintance with members of the Commons, of a Minister, to procure this Act or that Act, this Patent or another. In order to exemplify this, he would refer the House to the communication made to it at the commencement of the Session upon a private Bill connected with Gaspé; let that be looked at as closely as he had looked at it, and they would understand the way in which it was penned by one Charles Lefebvre, petitioned on this principle with a view to make us believe that there is a great desire on the other side not to interfere with our affairs, but to leave us to act without shackles, yet it was evident that it had been dictated by a person standing behind his back while he wrote. Let those acts of interference be repealed and such proceedings stopped, and the Colony would receive the full advantage of these protestations.<sup>38</sup>

MR. COLVILLE said, that the member for Quebec had stated that the censitaires of the Seigniory of Beauharnois were compelled to hold their lands in free and common soccage.<sup>39</sup>

MR. AYLWIN said, No! he had done no such thing, having been one of the Crown Officers he could not have committed so great a blunder - (Oh! oh!)<sup>40</sup>

MR. COLVILLE had certainly so understood the hon. gentleman. The Seigniorial holding was continued upon all granted lands, but those which were not conceded were converted to free and common soccage. He did not consider it his province either as a member or as the agent of the present proprietors of the Seigniory of Beauharnois to defend the Act by which Mr. Ellice obtained a commutation with the Crown; he should have been sorry if it had been his duty to do so, for he believed it was indefensible - (Cheers). But there was one expression of the member for Quebec which he felt he should be wanting in his duty as a member of that House, as a man, and as a son, if he allowed it to pass over, he had said that the present owners of the Seigniory of Beauharnois would be damned to everlasting shame. Sir, one of those owners is my father, and I should be failing in my duty, if I did not defend him from the attacks even of the member for Quebec.<sup>41</sup>

MR. AYLWIN said, he had no intention to attack individuals, in the remarks he had made. He did not know that the father of the member for Beauharnois was one of the owners of that Seigniory. But as a Canadian, when he saw foreign speculators trafficking (sic) in the labour of the

censitaires, and grinding them down with oppression he could not help feeling it acutely.<sup>42</sup>

MR. COLVILLE said he had yet to learn that any person had not a right to hold lands in this country, without being so characterized. The Canada Trade Act was passed before the Seignior of Beauharnois had passed into the hands of the present proprietors, before they had any intention of purchasing it, and he believed before the company was in existence at all. With regard to the conduct of the proprietors to the censitaires since that time, his (Mr. C's), election to represent them in the House was a decisive proof; they could not be very oppressive task masters if their agent was chosen by the censitaires as their member in that House. And he trusted that as long as his father occupied the prominent place he did in the direction of the affairs of the company, the censitaires would not have to complain that the proprietors were harsh task-masters. He would be glad to see the sections of the Canada Trade Act repealed, as he looked upon them as a gross violation of the guaranteed rights of this country.<sup>43</sup>

MR. ARMSTRONG said, that Mr. Aylwin had remarked that it was the absentee proprietors alone who were the cause of the abuses in the feudal tenure system; he would beg him to recollect that during the late troubles the greater number of the resident proprietors were compelled by their Censitaires to fly for their lives.<sup>44</sup>

MR. ATTORNEY GENERAL ((J.)) SMITH hoped the mover of this address would postpone it for a short time, as it involved very important considerations, and had not been but a day or two before the House. If it is postponed for a day or two, I believe I shall have something to offer concerning it, on the part of the government.<sup>45</sup>

MR. AYLWIN consented to postpone it.<sup>46</sup>

((WITHDRAWN BILL RE: MONOPOLY OF STREAMS.))

MR. CHRISTIE moved the second reading of the Bill to declare the monopoly of streams illegal.<sup>47</sup>

MR. ATTORNEY GENERAL ((J.)) SMITH hoped that it would be withdrawn; there were important legal questions involved therein, and there were great doubts whether the property of streams was in the Crown or the Seigneur (sic).<sup>48</sup>

The Bill was withdrawn ((by MR. CHRISTIE)).<sup>49</sup>



FOOTNOTES - 19 FEBRUARY 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 22 February 1845, KINGSTON CHRONICLE, 26 February 1845, KINGSTON NEWS, 27 February 1845, EXAMINER, 5 March 1845, in identical accounts, except that the account in the NEWS was abbreviated; and LA MINERVE, 24 February 1845, in an account identical to that of L'AURORE, 27 February 1845. According to the MONTREAL GAZETTE, 22 February 1845, KINGSTON CHRONICLE, 26 February 1845, and EXAMINER, 5 March 1845, the debate on this matter was "of some length" though it was reported in brief summary.
2. MONTREAL GAZETTE, 22 February 1845.
3. IBID.
4. IBID.
5. The debate on this matter was reported by: MONTREAL GAZETTE, 22 February 1845, and CHATHAM GLEANER, 4 March 1845, in identical accounts; and L'AURORE, 27 February 1845, in an account identical to that of LA MINERVE, 24 February 1845. Because parts of the MONTREAL GAZETTE are difficult to read, the identical account in the CHATHAM GLEANER will be used whenever necessary.
6. CHATHAM GLEANER, 4 March 1845.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. This matter was reported by: L'AURORE, 27 February 1845, and LA MINERVE, 24 February 1845, in identical accounts; and MONTREAL GAZETTE, 22 February 1845.
14. MONTREAL GAZETTE, 22 February 1845.
15. This matter was reported by: MONTREAL GAZETTE, 22 February 1845, KINGSTON CHRONICLE, 26 February 1845, and EXAMINER, 5 March 1845, in identical accounts.
16. MONTREAL GAZETTE, 22 February 1845.
17. MONTREAL GAZETTE, 22 February 1845, KINGSTON CHRONICLE, 26 February 1845, and EXAMINER, 5 March 1845, reported in identical accounts that the bill was referred to this select Committee "to stand over until next session, when Mr. Lafontaine would introduce a measure to make it applicable to both Upper and Lower Canada."
18. The debate on this matter was reported by: MONTREAL GAZETTE, 22 February 1845, EXAMINER, 5 March 1845, KINGSTON CHRONICLE, 26 February 1845, and CHATHAM GLEANER, 4 March 1845, in identical accounts; and LE JOURNAL DE QUEBEC, 22 February 1845.
19. MONTREAL GAZETTE, 22 February 1845, which also noted that: "Mr. M'Donell, of Dundas, who is a half caste, and proud of his origin from the aborigines of the country, delivered ... ((his)) speech, which was received with great applause."
20. LE JOURNAL DE QUEBEC, 27 February 1845.
21. IBID.
22. IBID.

23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. According to LE JOURNAL DE QUEBEC, 27 February 1845, this adjournment left the question suspended; according to the accounts in the MONTREAL GAZETTE, 22 February 1845, KINGSTON CHRONICLE, 26 February 1845, EXAMINER, 5 March 1845, and CHATHAM GLEANER, 4 March 1845, this clause was in fact carried.
29. The debate on this matter was reported by: MONTREAL GAZETTE, 22 February 1845; and LA MINERVE, 24 February 1845, in an account identical to that of L'AUORE, 27 February 1845.
30. MONTREAL GAZETTE, 22 February 1845.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. The debate on this motion was reported by: MONTREAL GAZETTE, 22 February 1845; and LA MINERVE, 24 February 1845, in an account identical to that of L'AUORE, 27 February 1845.
38. MONTREAL GAZETTE, 22 February 1845.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.

THURSDAY, 20 FEBRUARY 1845.

(281)

Affairs of  
Assurance  
Company,  
Montreal.

MR. SPEAKER laid before the House, statement of the affairs of the Montreal Fire, Life, and Inland Navigation Assurance Company, on the 31st December, 1844.

(For the said Statement, see Appendix S.)

Petitions  
brought up.

The following Petitions were severally brought up and laid on the table:--

By Mr. Greive, the Petition of the Reverend Samuel Wood and others, members of the Church of England, in the town of Three Rivers.

By Mr. Gowan, the Petition of Thomas Vaux, second office Clerk to the Legislative Assembly.

By Mr. M'Connell, the Petition of the Reverend E. Jackson and others, members of the Church Society of the diocese of Quebec.

Niagara and  
Ten Mile  
Creek Plank  
Road.

An engrossed Bill to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a plank road from a certain place in Niagara, to the Ten Mile Creek in Grantham, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Dickson do carry the said Bill to the Legislative Council, and desire their concurrence.

Claims upon  
Executive  
Government.

An engrossed Bill, to provide a legal recourse to Her Majesty's subjects in this Province, having legal or just claims upon the Executive Government thereof, and to enable Her Majesty the more effectually to do justice in such cases, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Joseph Braithwaite and others, members of the Church of England, in

the parish of Chambly, in the district of Montreal; of the Reverend Joseph Abbott and others, on behalf of the members of the Church of England, in the parish of St. Matthew, Grenville; and of the Reverend William Bond and others, members of the Church of England, in the parish of Lachine, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

Of James Coleman and others, of Adjala and other townships, praying for a grant to enable them to improve the road across a swamp in the said township.

Of Joseph Choat and others, occupants of Clergy Reserves in the township of Aneliasburg; of G. Goynes and others, of the township of Dunwich; of James Taunton and others, of the township of Southwold, in the district of London; and of Asahel Barnes and others, occupants of Clergy Reserve Lands in the district of London, praying that no alteration may be made in the present manner of disposing of the Clergy Reserve Lands; but that the said Lands may be sold and granted by the Crown in the usual manner.

Of J. O. A. Turgeon and others, of the parish of Terrebonne and St. Therese, in the county of Terrebonne, praying that the amendments made to the Ordinance relating to winter vehicles, may be repealed.

Of P. Waitier and others, of the parish of St. Joseph des Cedres and other places, praying that an inquiry may be made into the transactions between them and the Board of Works, relative to certain lands which the Board has obliged them to sell.

Of N. Sparks and others, of Bytown, praying for the passing of an Act to restore to the said Nicholas Sparks, certain lands in Bytown, taken possession of by the Ordinance Department, for the purposes of the Rideau Canal, but not appropriated at present to the said purposes.

Of the Mayor, Aldermen, and Commonalty of the town of Kingston, praying for an extension of the limits of the said town; and that it may be incorporated as a city, with an additional number of members in the City Council, and to have the assessments, now paid into the treasury of the Midland district, paid into the treasury of the said city.

Of James Little, Esquire, and others, of Seneca and other townships, in the district of Niagara, praying that the county of Haldimand may not be set apart as a separate district, but that the townships of Seneca, Oneida, and Cayuga, may be annexed to the district of Gore.

Petitions  
referred.

Resolved, That the Petition of N. Sparks and others,  
of Bytown, be referred to a Select Committee,



N. Sparks  
and others.

composed of Mr. Stewart, of Bytown, the Honourable Mr. Solicitor General Sherwood, the Honourable Mr. Morin, the Honourable Mr. Aylwin, Mr. Johnston, and Mr. Macdonald, of Kingston, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bank of  
Upper Canada  
&c. &c.

Resolved, That the Petition of the Bank of Upper Canada; of the Commercial Bank of the Midland district; and of the Gore Bank; be referred to a Select Committee, composed of Mr. Macdonald, of Kingston, Mr. Thompson, Mr. LeMoine, Mr. Murney, Mr. Cummings, Mr. Chabot, and the Honourable Mr. Morin, to examine with all convenient speed; with power to send for persons, papers and records.

Riding over  
Bridges.

Mr. Dickson, from the Select Committee to which was referred the Petition of William Dickson and others, inhabitants of the district of Gore, residing on the Grand River, with power to report by Bill or otherwise, presented to the House a Bill to prevent persons riding or driving at a fast rate over certain bridges erected across the Grand River, in Upper Canada; which was received and read for the first time, and ordered to be read a second time, on Monday next.

Marriage  
License  
Fee Fund.

Mr. Christie, from the Select Committee to which was referred the Bill, relating to the fund formerly known as the "Marriage License Fee Fund"; to fix the fees hereafter to be taken on marriage licenses; and to provide for the regular payment thereof into the Public Treasury, with power to report from time to time, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee have carefully gone through the Bill referred to them, and beg leave to report the same to your Honourable House, with several amendments thereto.

(282)

They also deemed it their duty, while examining the Bill, to call for the instructions given the different Agents or distributors of those Licenses in the country parts of the Province, with respect to the fee they are to take for each License, but have not thought it necessary to extend their inquiry into the origin of the fee in question, nor as to the authority by which it was originally introduced into Canada, nor the precise time or circumstances of its introduction.

The fee of twenty shillings to the Governor, on each Marriage License, was authorised in 1780, by a temporary Ordinance of the Legislative Council

of the Province of Quebec. The Ordinance was limited to two years, and was not renewed; the fee, however, was not only continued, but increased, and without, in so far as your Committee can see, any legal authority for the increase.

The fee on Marriage Licenses, your Committee have to observe, is not uniform throughout the Province; nor are they informed why it is not so, nor of the causes for the variance. In Upper Canada, it varies from 30s. to £5,--and even this, according to one of the witnesses called before your Committee, may be increased at the pleasure of the Agent, if he shall think proper to do so, provided he do but transmit to the Secretary 20s. for each License disposed of. In Lower Canada, the Agents have been instructed to take 40s., five shillings whereof the Agent keeps as his compensation, remitting the remaining 35s. to the Secretary's Office, whence, after undergoing a deduction for agency, postage, and other charges, the balance finds its way into the Treasury. The more recent instructions to the Agents in Upper Canada, authorize but 30s. for the fee on those Licenses, of which 10s. go to the Agent, and the remaining 20s. to the Secretary's Office; but these instructions have not, it seems been forwarded to all the agents in that quarter, as your Committee collect from the evidence they have taken on the subject, and which they hereunto append for the information of your Honourable House, inasmuch as the Agents are not all guided by those instructions.

A perusal of the evidence appended to this Report, will suffice to shew to your Honourable House the prevailing abuses on this subject, and the necessity of Legislative enactments to put an end to them. The Order in Council of the 4th October, 1843, by His Excellency, the Governor General, with respect to the Marriage License Fee Fund, stands already recorded on the Journals of your Honourable House; His Excellency having given it as his decided opinion, that there is no reason for regarding that fund otherwise than as public revenue, to be appropriated only by Parliament; it consequently remains but with the Legislature to give effect to the liberal and just views of the Governor General, and, by enactments, making the fee uniform throughout the Province, and fixing the periods of accounting for the receipts, and for redressing the abuses so long and justly complained of on this subject.

The fund constituted of those fees, though not previously treated as public revenue, has, since the Order above alluded to of His Excellency, the Governor General, been placed under the head of "Casual Revenue" on the Public Accounts, as it long ago ought to have been. The financial difficulties which preceded the Union, and the comprehensive terms of the 54th Section of the Union Act, giving up every branch of revenue in the Province at the disposal of the Crown, leave no room to doubt that the intention of the Imperial Legislature, is appropriating £75,000 annually, of the moneys levied upon the subject in this Province, and enacting "that the same shall be accepted and taken by Her Majesty by way of Civil List,

instead of all Territorial and other revenues now at the disposal of the Crown, arising in either of the said Provinces of Upper Canada or Lower Canada, or in the Province of Canada," must have been to reserve none over which the Crown, or the authority representing it in the Colony, had any controul. It is scarcely probable that while the Imperial Parliament increased the Governor's salary from £4,500, at which it previously stood, to the more than ample allowance of £7,000 sterling a year, it also contemplated his retention of a fund drawing from the pockets of the subject upwards of £3,000 additional, by means of the sale of Marriage Licenses, either for his own emolument, independently of Parliament, or for the benefit of others employed in the Public Service under him.

The fees formerly allowed the Secretaries in Upper and Lower Canada, and to other principal officers of the Government, have, since the Union, been funded, and fixed salaries granted in lieu of them to the incumbents. This course appears to your Committee to have been a proper one, and they see no reason why this fund in particular should have been reserved three years beyond the period when properly it became public property, and as such ought to have been paid over to the Treasury.

---

MINUTES OF EVIDENCE.

---

WEDNESDAY, 29th January, 1845.

James Sampson, Esquire, called in and examined:--

1. Do you reside at Kingston?--I do.

2. Have you the distribution of Marriage Licenses there, and from what office are they sent to you, and with what instructions; and for what district in particular do you distribute Licenses?--I have the distribution of Marriage Licenses at Kingston; they are sent to me from the Provincial Secretary's Office. I have had no instructions since the year 1829, when I was first appointed; the instructions I then received were to return for each License £1, and also to return every executed bond at the end of every six months; these instructions were conveyed to me in a private note. I distribute Licenses principally in Kingston and the neighbourhood.

3. You say you were directed to return 20s. for each License; have you charged more than that, and if so by what authority?--I never had any instructions as to charge, but I charged £2 in general, £1 of which I remitted to the Secretary. I charged soldiers but £1 10s. I had no authority but my own, and having found it to be the custom of my predecessor when I first took the distribution in hand, I thought myself justified in following it.



4. At what period do you usually account for the receipts on Marriage Licenses?--At present, when Mr. Harrington sends me 20 Licenses I return him £20 to cover the same number that have been sold.

5. Do you receive any other compensation for this service?--I do not.

6. How much do you on an average remit annually to the Secretary's Office?--Last year I remitted £120 to the Secretary, which is probably less than the average for the last three years.

7. Did you consider yourself free to demand more than the £2 on Licenses?--Yes, I did.

8. Have you in fact ever demanded or received more?--I never demanded more; but, on two occasions, I received five guineas each.

9. Do you make any charge for the Bonds entered into by applicants for Marriage Licenses?--No, I do not.

10. Is the charge on Marriage Licenses uniform throughout Upper Canada?--I think not; those who have been appointed lately as distributors, have been directed not to charge more than £1 10s., £1 of which they are to remit to the Secretary. I believe there is a competition among the distributors, and in some instances they have been given for less than £1 10s.

11. Have you any thing to suggest to the Committee, as to the best mode of providing Marriage Licenses to those having occasion for them, or with respect to the accounting for, and paying over the proceeds upon the sales thereof?--I believe the mode under the present system is a very good one, as far as the punctuality of return is concerned, and I cannot, while the present system exists, suggest any better.

(283)

THURSDAY, 30th January, 1845.

T. D. Harrington, Esquire, called in and examined:--

12. Are you employed in any public department of the Civil Government, and in which?--I am Chief Clerk in the Provincial Secretary's Office.

13. How long have you been employed in that Office?--Since November, 1832, here and in Upper Canada. Up to the Union it was the Provincial Secretary and Registrar's Office.

14. Have you, as an officer in that department, anything to do with the distribution or giving out of Marriage Licenses to applicants for such at your office?--Since the Union I have furnished them to the Agents.



15. You furnish them, then, to Agents in town, as well as to such in the rural parts of the Province?--I do.

16. How many on an average may you furnish annually to such Agents?--In Upper Canada about 2000, and in Lower Canada about 400.

17. What is the fee or charge upon each Marriage License, and is such fee or charge uniform throughout the Province?--Since the Union I have had the charge of the distribution; I have sent instructions to agents appointed by myself, authorizing them to charge each applicant 30s. currency, of which they retain 10s. for the filling up of the Bond, remitting me the remaining 20s. to be accounted for to the Government. In Lower Canada I found that the Agents charged 40s., 5s. of which they retained, and remitted me the remaining 35s., except in the case of soldiers, whom they charge 30s. retaining their own 5s. and remitting me 25s. In Quebec, the Agent, (who is Clerk in charge of Records), makes the same charge to applicants, but does not retain any of the amount himself.

18. Are you aware that a greater fee than 30s. on such licenses is demanded and taken by any of your Agents in Upper Canada?--I have heard that some of the Agents have charged more, but not having been brought officially before me, I could take no notice of it.

19. By what authority is the fee taken, and from whom do you yourself receive the authority or instructions under which you act?--The original authority I don't know. Before the Union the fees were received in what was called the Governor's Office in Upper Canada, and in Lower Canada the Civil Secretary's Office, to which I did not belong. My instructions were received from the Governor General through the Chief Secretary, now the Civil Secretary of the Province.

20. Can you produce to the Committee, a copy of those instructions, or are they merely verbal, and if so, from whom do you immediately receive them?--They may be called verbal, as they are but a rough memorandum. I receive the Licenses direct from the Civil Secretary.

21. How many Agents have you, and can you furnish their names, and the place of residence of each?--I can, and will hand in the statement tomorrow.

22. Have you ever drawn up any general instruction for the guidance of your agents; if so, produce a copy or copies of them?--I refer you to a previous question.

23. Are your Agents Clergymen or of the laity?--In Lower Canada, with the exception of Montreal and Quebec, they are all Clergymen, but in Upper Canada there are not more than two or three.

24. Are your Agents, that is to say, those previous to your having any thing to do in the giving out of such Licenses, as well as those of your own nomination, free to make just such charge as they please on Marriage Licenses, or are they restricted to a particular fee and no more?--For part of the answer I refer to No. 6. So long as they remit to me 20s. upon each License, and no complaints are made, I do not consider myself authorized to interfere with those Agents appointed before my time. If a complaint were made I should report to the Government, and apply for proper instructions.

25. What may the remittances to your office for fees on Marriage Licenses annually have amounted to since the Union, at an average or near about?--At an average, about £2000 in Upper Canada, and in Lower Canada about £450.

26. How were the proceeds disposed of previous to the order of the Governor General directing them to be paid into the Treasury?--Up to the 3rd September, 1843, the two Provincial Secretaries received £250 Sterling, each, annually, and the remainder was at the disposal of the Governor General.

27. What remuneration do you receive for your agency or services relating to those Licenses?--Five percent upon the gross receipts up to the end of 1843, and five per cent now, until it amounts to £100, for this service, and as accountant for the Contingencies of the Public Departments.

28. Do the proceeds of sales of the Marriage Licenses undergo any other deduction than your agency, previous to their going into the Treasury?--The postage for the transmission of the Licenses and Bonds, and the printing of the Licenses and Bonds, is charged out of these receipts.

29. There is a charge under the head of Marriage License Fees in the Public Accounts for 1843, laid before the House this Session, of £218 for postage. Is this solely for the transmission of Marriage Licenses, and Returns?--Solely.

30. Is the salary or allowance of £250 a year allowed the Honourable J. Daly, for being put upon a fixed salary, still paid him, or is it wholly discontinued, and since when?--It has been entirely discontinued since the 3rd September, 1843.

(The Witness subsequently handed in the following papers):--

(COPY.)

INSTRUCTIONS FOR THE GUIDANCE OF AGENTS FOR  
ISSUING MARRIAGE LICENSES IN UPPER CANADA.

The Agent, before issuing a License to an applicant, will be careful to ascertain that there exists no legal impediment to the marriage of the parties. He will then proceed to take a Bond from two good and sufficient sureties, to the amount of £200, which Bond (in blank) will be forwarded at all times with blank Licenses. If the parties contracting, or either of them, are under age, the Agent will require a certificate of consent to the marriage from the parents or guardians. The Bonds filled up, and the certificates of consent of parents, &c., are to be forwarded by the first safe private conveyance that may present itself, to save postage.

For every License issued, the Agent will account to the Receiver of Fees, Secretary's Office, at the rate of £1 currency; the charge for filling up the License and bond, and filling the certificate of consent, if required is 10s. to the Agent, the 30s. to be paid by the applicant. The fees collected by the Agents are to be remitted to the Receiver from time to time, as each supply of Licenses is disposed of and new blanks required.

T. DOUGLAS HARRINGTON,

Receiver of Marriage License Fees.

Montreal, 30th January, 1845.

(284)

LIST OF MARRIAGE LICENSE AGENTS IN UPPER CANADA.

NAME.	RESIDENCE.
Adams, Elias S.	St. Catharines.
Alling, Robert	Guelph.
Alley, Gerald	Orillia.
Bellairs, J.P.	Port Burwell.
Bower, William	South Gower.
Burke, G.T.	Richmond.
Burke, G.R.	Bytown.
Buchanan, J.S.	Adelaide.
Barwick, H.C.	Woodstock.
Bell, Robert	Carleton Place.
Bridgford, David	Richmond Hill.
Coate, Dr. D.	Merrickville.
Chisholm, R.K.	Oakville.
Cameron, John	River Raisins.
Cameron, Malcolm	Sarnia.
Cosgrave, William	Chatham.

NAME.	RESIDENCE.
Campbell, Alexander	Napanee.
Cummings, J.H.	Chippawa.
Chep, James	Ancaster.
Davis, Joseph	Waterloo, Wellington District.
Daly, J.C.W.	Stratford, Huron.
Ewart, J.B.	Dundas.
Farrell, J.P.	Dunnville.
Hopper, Arthur	Huntley.
Harris, John	London.
Jarvis, F. Starr	Toronto Township.
Grinton, William	Blenheim.
Graham, Dr. James	Woodhouse.
Green, Rev. T.	Wellington Square.
Keefer, Jacob	Thorold.
Lawson, William	Cavan.
M'Cuaig, John	Whitby.
M'Kenzie, Murdock	St. Thomas.
M'Lean, Archibald	Lochiel.
M'Micken, Gilbert	Queenston.
M'Nab, Knight, Sir A.N.	Hamilton.
Malloch, George	Brockville.
Merigold, William	Beechville.
Mortimer, Cecil	Picton.
M'Cormick, Thomas	Niagara.
M'Kay, William J.	Bath.
Morris, Alexander	Perth.
Mercer, Andrew	City of Toronto.
Nelles, R.F.	Grimsby.
Osler, Rev. F.L.	Tecumseth.
Pringle, J.D.	Cornwall.
Parker, Thomas	Belleville.
Patton, Andrew	Prescott.
Richardson, William	Brantford.
Rich, William B.	Goderich.
Roe, William	Newmarket.
Shaw, James	Smith's Falls.
Smith, John	Paris.
Sampson, Dr. J.	Kingston.
Stewart, T.A.	Peterboro'.
Stanton, Charles	Fort Erie.
Shade, Absalom	Galt.
Switzer, Tobias	Albion.
Switzer, Benjamin	Streetsville.



NAME.	RESIDENCE.
Tracy, Richard ... ..	Norval.
Throop, R. H. ... ..	Cobourg.
Thompson, David ... ..	Indiana.
Treadwell, Charles P. ... ..	L'Orignal.
Whitehead, G.W. ... ..	Burford.
Ward, Thomas ... ..	Port Hope.
Wilkinson, J.A. ... ..	Sandwich.
Young, Reuben ... ..	Carrying Place.
M'Mullun, Rev. D. ... ..	Hillier.
Holden, James ... ..	Williamsburgh.

## LIST OF MARRIAGE LICENSE AGENTS IN LOWER CANADA.

NAME.	RESIDENCE.
Anderson, Rev. J. ... ..	Melbourne.
Butler, Rev. J. ... ..	Kingsey.
Botterell, Rev. E. ... ..	Dunham.
Balfour, Rev. A. ... ..	Waterloo, Shefford.
Doolittle, Rev. L. ... ..	Sherbrooke.
Fleming, Rev. C.B. ... ..	Melbourne.
Flanagan, Rev. J. ... ..	Leeds.
Hale, Rev. R.N. ... ..	Stanstead.
Jackson, Rev. C. ... ..	Hatley.
Johnston, Rev. J. ... ..	Aylmer.
Londsdell, Rev. R. ... ..	Dannville.
Milne, Rev. George ... ..	New Carlisle.
Parker, Rev. A.J. ... ..	Dannville, Shipton.
Reid, Rev. C.P. ... ..	Compton.
Ross, Rev. G.M. ... ..	Drummondville.
Steven, Rev. J. ... ..	Campbelltown, Restigouche.
Slack, Rev. G. ... ..	Granby.
Montizambert, C.N. ... ..	Three Rivers.
Ross, Arthur ... ..	Montreal.
Roche, A.R. ... ..	Quebec.

} These are the two  
principal Agents.

Any Clergyman applying for Licenses is supplied, but these are all that appear on my books.

T. DOUGLAS HARRINGTON,  
Receiver of Marriage License Fees.

Montreal, 30th January, 1845.

TUESDAY, 11th February, 1845.

D. Thompson, Esquire, a Member of the Committee, examined:--

31. The Committee perceive by the return laid before them by Mr. Harrington, that you are one of the Agents for giving of Marriage Licenses to those in your neighbourhood applying for them; is such the case?-- Yes, my name stands as such on the books.

32. How much do you charge for each Marriage License?--Never more than thirty shillings, and sometimes less.

33. By what authority do you claim the fee of thirty shillings?-- By my instructions from the Governor's Private or Civil Secretary, which authorize me to receive upon each License thirty shillings, remitting twenty shillings to the office. I beg to explain, that although I appear on the books as the Agent, the matter is managed by my clerks, who have my authority to retain the fee of 10s. as a perquisite for the said service.

34. How many Licenses do you on an average issue annually?-- Not exceeding two dozen.

35. Do applicants complain of this fee?--I cannot say they do, but I am satisfied that were it reduced to one half, the total of the receipts to the Treasury would be doubled.

36. Ought the fee on Marriage Licenses to be regulated by a law, or would it in your opinion be better to leave it as it is?--Decidedly, by a law, and to form a part of the Public Revenue, which would prevent the notorious system of extortion too lamentably practised by many of the issuers.

WEDNESDAY, 19th February, 1845.

Sir Allan N. MacNab, Speaker of the Legislative Assembly, called in and examined:--

37. The Committee perceive by the Report before them, that you are one of the Agents for issuing Marriage Licenses, is such the case?--Yes.

38. How much do you charge for such Licenses?--I cannot say, as I never issued a Marriage License myself; it was always done by those in my office. I lately called at the Secretary's Office, and had my name struck off the list of Agents for issuing Marriage Licenses.

Ordered, That the Bill and Report be committed to a Committee of the whole House on Wednesday next.

Ordered, That the said Report and Evidence appended thereto, be printed in each of the English and French Languages for the use of the members of this House.

On motion of Mr. Colville, seconded by Mr. Méthot,

Notaries acting as Clerks of Courts.

Resolved, That This House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing so much of the Ordinance, 25th George III., chap. 4, as

prohibits Notaries from acting as Clerks of Courts in Lower Canada.

The House accordingly resolved itself into the said Committee.

Mr. Boulton took the chair of the Committee, and after some time spent therein,

(285)

Mr. Speaker resumed the chair,

And Mr. Boulton reported, that the Committee had come to a resolution; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to repeal so much of the Ordinance 25th George III., cap. 4, as prohibits Notaries from acting as Clerks of Courts in Lower Canada, as far as regards Circuit and Commissioners' Courts.

Ordered, That Mr. Colville have leave to bring in a Bill to repeal part of a certain Ordinance therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners' Courts, in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

On motion of Mr. Thompson, seconded by Mr. Webster,

Evangelical Association.

Ordered, That the Order of the Day for the second reading of the Bill to extend the benefit of a

certain Act of Upper Canada, therein mentioned, to the Clergyman or Minister of the Evangelical Association, lost by the adjournment of the House of yesterday be revived, and that the said Bill be read a second time on Monday next.

Report on  
Petition of  
John D.  
M'Kenzie.

Ordered, That the Report of the Select Committee, to which was referred the Petition of John D. M'Kenzie and others, of the township of Beverley, in the district of Gore and other places, be committed to a Committee of the whole House on Monday next.

Mr. Webster moved, seconded by Mr. Prince,

Agricultural  
Societies.

That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending and continuing the Act of Parliament of this Province, intituled, "An Act to continue for a limited period the certain Acts therein mentioned," and to grant for the encouragement of Agriculture, and Agricultural Societies, a sum of money in the several districts of that part of this Province, formerly constituting the Province of Upper Canada.

The Honourable Mr. Attorney General Smith rose in his place, and informed the House, that His Excellency, the Governor General, being acquainted with the purport of the said motion, gives his consent that the House may proceed thereon as they shall think fit.

The question being then put on Mr. Webster's motion, it was agreed to unanimously, and

The House accordingly resolved itself into the said Committee.

Mr. Sherwood, of Brockville, took the chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the chair,

And Mr. Sherwood reported that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same,

Ordered, That the Report be received to-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills without any



amendment:--

Surveyor  
General.

An Act to abolish the office of Surveyor General, and to provide for the performance of the duties of that office, by the Commissioner of Crown Lands.

Soeurs Notre  
Dame.

An Act to authorize the community of ladies, called "Les Soeurs de la Congrégation Notre Dame, de Montreal," to acquire and hold additional real or personal property to a certain amount.

And also,

Sherbrooke  
Cotton  
Factory.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Sherbrooke Cotton Factory," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

On motion of Mr. Cummings, seconded by Mr. Chalmers,

Niagara Muni-  
cipal Council.

Site for new  
District Town.

Ordered, That the entries in the Journals of last Session, containing the Petition of the Municipal Council of the district of Niagara, upon the selection of a site for a new district town; the Petition of John Harris and others, inhabitants of Grimsby and other townships in the district of Niagara; and the Reports of the Select Committee, to which the same were referred, be now read.

The said entries were read accordingly.

Resolved, That the said entries be referred to a Select Committee, composed of Mr. Cummings, Mr. Merritt, Mr. Thompson, Mr. Macdonald, of Cornwall, and Mr. Powell, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Taxes in  
Gloucester.

Ordered, That Mr. Stewart, of Bytown, have leave to bring in a Bill, to authorize the assessment and collection of taxes in the township of Gloucester, for the year 1844.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

Taxes in  
Johnstown.

Ordered, That Mr. Gowan have leave to bring in a Bill, to provide for the collection of arrears

of taxes, in the district of Johnstown, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time, on Thursday next.

Culling of  
Timber.

The Order of the Day for the second reading of the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature; and to repeal the Act 7th Victoria, chap. 25, being read,

Ordered, That the said Bill be read a second time, on Monday next,

Roman Bishops  
of Toronto  
and Kingston.

The Order of the Day for the House in Committee on the Bill to incorporate the Roman Catholic Bishops of Toronto, and Kingston, in Canada, in each diocese, being read,

The House accordingly resolved itself into the said Committee,

Mr. Meyers took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

(286)

And Mr. Meyers reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Notarial  
Profession.

The Order of the Day for the second reading of the Bill to organize the Notarial profession, in that part of the Province, called Lower Canada, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Foster took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Foster reported that the Committee had gone through the Bill, and had made several amendments thereto; which he was directed to report

to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Toll Bridge,  
river Richelieu.                      The Order of the Day for the House in Committee,  
on the Bill to authorize John Yule, junior, to build  
a toll bridge over the River Richelieu, in the parish  
of St. Joseph de Chambly; to fix rates of tolls for passing thereon, and  
to provide regulations for the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. Price took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Price reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Funding fees  
of Office, &c.                      The Order of the Day for the House in Committee,  
on the Bill to reduce, in accordance with the cir-  
cumstances of the Province, certain salaries not on  
the Civil List thereof, and to fund fees of office, allowing the incumbents  
salaries in lieu, being read,

The House accordingly resolved itself into the said Committee.

Mr. Roblin took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Roblin reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Wednesday next.

Civil and  
Political  
Rights.                      The Order of the Day for the House in Committee,  
on the report of the Select Committee, to which was  
referred the Bill to revive and continue for a limited  
time part of the fourth clause of an Act passed in  
the fourth and fifth years of the reign of Her Majesty, Queen Victoria,  
intituled, "An Act to secure to, and confer upon certain inhabitants of  
this Province, the civil and political rights of natural born British sub-  
jects," being read,

*The House accordingly resolved itself into the said Committee.*

*Mr. Chalmers took the chair of the Committee.<sup>1</sup>*

Two clauses were proposed by MR. HALE, on conferring the right of voting upon aliens whose ancestors or themselves had held freeholds in Canada for ten years; the other making aliens liable to serve as Jurors, Road Surveyors, Municipal Officers, and Militia ----- . Both were withdrawn.<sup>2</sup>

(286)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Chalmers reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the report be received to-morrow.*

*Chambly  
Canal dues.*

*The Order of the Day for the House in Committee, on the first Report of the Special Committee appointed to enquire into all matters and things connected with the management and collection of dues on the Chambly Canal, being read,*

*The House accordingly resolved itself into the said Committee.*

*The Honourable Mr. Solicitor General Sherwood took the chair of the Committee,<sup>3</sup>*

Le DR. DUNLOP proposa qu'il fut adopté une adresse au gouverneur recommandant le paiement de £10,616 à MM. Andress, entrepreneurs de ce canal, cette somme étant le montant obtenu devant la cour du Banc de la Reine contre les commissaires du canal.<sup>4</sup>

*M. AYLWIN s'opposa à la motion<sup>5</sup>.*

*Elle fut retirée ... ((par le DR. DUNLOP))<sup>6</sup>.*

(286)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And the Honourable Mr. Solicitor General Sherwood reported, that the Committee had made some progress, and had directed him to move for leave to sit again.*



Ordered, That the said Committee have leave to sit again on Thursday, the sixth of March next.

Petition of  
N.H. Baird.

The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Petition of N.H. Baird, Civil Engineer,

being read,

Ordered, That the said Order of the Day be postponed until Monday next.

British and  
Canadian  
School, Quebec.

The Order of the Day for the second reading of the Bill to incorporate the British and Canadian School Society of the district of Quebec, being read,

The said Bill was accordingly read and committed to a Committee of the whole House.

Mr. Smith, of Frontenac, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

High School,  
Quebec.

The Order of the Day for the second reading of the Bill to incorporate the High School of Quebec being read,

The said Bill was accordingly read and committed to a Committee of the whole House.

Mr. Nelson took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Nelson reported that the Committee had gone through the Bill and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended be engrossed.

(287)

Mill Dams.

The Order of the Day for the second reading of the Bill to provide more effectually for the construction of Aprons to Mill Dams on streams in Upper Canada, being read,

Ordered, That the said Bill be read a second time on Monday next.

Registry Laws.

The Order of the Day for the House in Committee, on the Bill to alter and amend the Registry Laws of that part of this Province which was formerly Upper Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Hall took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hall reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Contingencies.

The Order of the Day for the House in Committee on the third Report of the Standing Committee on Contingencies being read,

The House accordingly resolved itself into the said Committee.

Mr. Thompson took the chair of the Committee,<sup>7</sup>

MR. ROBLIN, from the Committee, moved that the salary of the Sergeant at Arms should be increased from £100 to £150 per annum.<sup>8</sup>

The resolution was carried.<sup>9</sup>

MR. ROBLIN moved that the subscription paid for supplying Members with the Upper Canada Gazette should be discontinued.<sup>10</sup>

The motion was carried.<sup>11</sup>

MR. ROBLIN moved that the salary of Mr. Alfred Patrick, second Clerk of Committees, should be increased from £225 to £250 per annum.<sup>12</sup>

MR. ((J. S.)) MACDONALD (of Glengarry) moved in amendment that Mr. Patrick's salary should be increased to £275.<sup>13</sup>

MR. LAFONTAINE opposed the motion. He was averse to the practice of

the Clerks petitioning the House for increase of salary, it would be much better for the Clerk of the House to examine the state of their claims, and to lay a Report before the House for a permanent and final alteration.<sup>14</sup>

DR. DUNLOP and MR. MORIN contended that the officers were underpaid and supported the motion for an increase.<sup>15</sup>

MR. MOFFATT objected to the motion as irregular, he thought that the application should come recommended from the Clerk of the House.<sup>16</sup>

MESSRS. DRUMMOND and CAUCHON opposed the motion.<sup>17</sup>

Mr. Roblin's motion was carried.<sup>18</sup>

On the motion of MR. ROBLIN the salary of the Post Office Messenger was increased to 12s. 6d. a day.<sup>19</sup>

It was ordered that the sum of £32 5s, should be paid to W. Deschambault for services as Commissioner, in taking evidence in the election for Montreal in 1833.<sup>20</sup>

(287)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Thompson reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Religious  
Societies'  
Relief.

The Order of the Day for taking into consideration the amendments made by the Legislative Council, to the Bill intituled, "An Act to extend the provisions of a certain Act of the Parliament of the Province of Upper Canada, (passed in the ninth year of the reign of His late Majesty, King George the Fourth, intituled 'An Act for the relief of the Religious Societies therein mentioned') to other denominations of Christians than those therein enumerated," being read,

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments being again read, they were agreed to by the House.

Ordered That Mr. Williams do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to

their amendments.

Humber Har-  
bour and Road  
Company.

Ordered, That the Order of the Day for the House in Committee on the Bill to incorporate certain persons under the name and style of the President, Directors, and Company of the Humber Harbour Road Company, as reported by the Standing Committee on Private Bills, be postponed until Monday, the third of March next.

Agricultural  
Societies.

Ordered, That the Order of the Day for the second reading of the Bill to continue an Act for the establishment of Agricultural Societies, and to encourage Agriculture in the several districts of Upper Canada, be discharged.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Licenses to  
cut Timber  
in Bonaven-  
ture, &c.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to direct the proper officer to lay before the House, a Statement, in tabular form, of all Licenses issued during the last two years, for cutting Timber on the Waste Lands of the Crown, in the counties of Bonaventure, Gaspé, Rimouski, Kamouraska, L'Islet, Bellechasse, and Saguenay, exhibiting the quantities of Timber actually made in each of the said counties, and exported therefrom.

(For the said Statement, see Appendix G G.)

Petition of  
Joseph  
Donegani.

The Order of the Day for the House in Committee on the Report of the Select Committee to which was referred the Petition of Joseph Donegani, of the city of Montreal, merchant, being read,

Ordered, That the said Order of the Day be postponed until Monday next.

Pensions to  
Lacroix and  
Bolduc.

The Order of the Day for the House in Committee on the Message of His Excellency, the Governor General, laid before this House, on the third instant, relative to an allowance, or pension, to Pierre Lacroix and Joseph Bolduc, heretofore Messengers of the Legislative Council of Upper Canada; and the Petition of the said Pierre Lacroix and Joseph Bolduc, being read,

Ordered, That the said Order of the Day be postponed, until Monday next.

Land Taxes,  
Upper Canada.

The Order of the Day for the House in Committee on the Bill to remove all doubts as to the liability



of certain lands in Upper Canada, to be charged with local taxes, being read,

Ordered, That the said Order of the Day be postponed until Monday next, and that it be then the third Order of the Day.

British Plan-  
tation Vessels.

The Order of the Day for the House in Committee on the Bill to secure the Right of Property in British plantation vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the Registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

Ordered, That the said Order of the Day be postponed until to-morrow.

Building  
Societies.

The Order of the Day for the second reading of the Bill for the regulation of "Benefit Building Societies," being read,

Ordered, That the said Bill be read a second time, to-morrow.

Pères Oblats.

The Order of the Day for the second reading of the Bill, to incorporate "Les Reverends Perès Oblats de l'Immaculée Conception de Marie," in the Province of Canada, being read,

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Montreal Col-  
lege of Medicine.

The Order of the Day for the House in Committee on the Bill to incorporate the Montreal College of Medicine and Surgery, being read,

Ordered, That the said Order of the Day be postponed until Monday next, and that it be then the first Order of the Day.

Limitation  
of Actions.

The Order of the Day for the House in Committee on the Bill for the limitation of Actions; for avoiding suits at Law; and for rendering a written memorandum necessary to the validity of certain promises and engagements in that

(288)

part of the Province, which heretofore constituted the Province of Lower Canada, being read,

Ordered, That the said Order of the Day be postponed until Monday next.

*Then, on motion of Mr. Macdonald, of Dundas, seconded by the Honourable Mr. Daly,*

*The House adjourned.<sup>21</sup>*

FOOTNOTES - 20 FEBRUARY 1845.

1. This matter was reported by: MONTREAL GAZETTE, 22 February 1845, BRITISH WHIG, 28 February 1845, copying MONTREAL COURIER, KINGSTON NEWS, 27 February 1845, and the KINGSTON CHRONICLE, 26 February 1845, in identical accounts.
2. MONTREAL GAZETTE, 22 February 1845.
3. The debate on this matter was reported by: MONTREAL GAZETTE, 22 February 1845, and BRITISH WHIG, 28 February 1845, copying MONTREAL COURIER, in identical accounts; and LA MINERVE, 24 February 1845.
4. LA MINERVE, 24 February 1845.
5. IBID.
6. IBID.
7. The debate on this matter was reported by: LA MINERVE, 24 February 1845; MONTREAL GAZETTE, 22 February 1845, BRITISH WHIG, 28 February 1845, copying MONTREAL COURIER, and the KINGSTON CHRONICLE, 26 February 1845, in identical accounts. When selections are chosen from these identical accounts, the KINGSTON CHRONICLE is used because it is much more legible than the MONTREAL GAZETTE.
8. KINGSTON CHRONICLE, 26 February 1845.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. The MONTREAL GAZETTE, 22 February 1845, noted that adjournment took place at 11 o'clock.

FRIDAY, 21 FEBRUARY 1845.

(288)

Petitions  
brought up.

THE following Petitions were severally  
brought up and laid on the table:--

By Mr. Smith, of Frontenac, the Petition of the Municipal Council of the Midland district, (relating to the Petition of the Corporation of Kingston.)

By the Honourable Mr. DeBleury, the Petition of John Whitlaw and William Tennant of Montreal.

By Mr. Merritt, the Petition of John Martin and others, of the township of Richmond, in the Midland district.

By the Honourable Mr. Baldwin, the Petition of the Municipal Council of the Home district, (relating to the Bill to incorporate the city of Toronto.)

British and  
Canadian  
School Society.  
Quebec.

An engrossed Bill to incorporate the British and Canadian School Society of the district of Quebec, was read for the third time.

Resolved, That the bill do pass.

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the Legislative Council, and desire their concurrence.

High School,  
Quebec.

An engrossed Bill, to incorporate the High School of Quebec, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the Legislative Council, and desire their concurrence.

Roman Catholic  
Bishops, Toronto  
and Kingston.

An engrossed Bill, to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Prince do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--



Of Andrew N. Buell and others, Practitioners of the Law, residing out of the city of Toronto, praying that the practice of the Courts may be so regulated, as to relieve them from the necessity of employing parties to perform services which they could render themselves; and that provision may be made for their just and liberal compensation for the duties performed by them.

Of Andrew N. Buell and others, Practitioners of the Law, residing out of the city of Toronto, praying that the Act incorporating the Law Society of Upper Canada, may be so amended as to give to all the members, of the degree of Barrister, a vote in the management of the affairs of the said Society.

Of the Municipal Council of the district of Dalhousie, praying that the Assessor and Collector of the township of Gloucester, last appointed, may be empowered to assess and collect the rates within the said township for the year 1844, as well as for 1845.

Of the Master and Wardens of the Trinity House of Quebec, praying that the 46th section of the Bill now before the House, relating to the said Corporation, which imposes a double duty upon vessels coming within the limits of the Montreal harbour, may not pass.

Of the Municipal Council of the district of Huron, praying that the township of Williams may not be separated from the said district.

Of Abraham Charest and others, of the parish of St. Ignace du Coteau du Lac, praying for a grant of money to enable them to construct a bridge over the Rivière à Delisle.

Petitions  
referred.

J. Henry  
and others.

Ordered, That the Petition of John Henry and others, of the township of Glanford, in the district of Gore, be referred to the Select Committee, to which was referred the Petition of John Wetenhall and others, of the township of Nelson, in the district of Gore, and other references.

J. Gilchrist,  
Esquire.

Mr. Hall moved, seconded by Mr. Chalmers, that the Petition of John Gilchrist, Esquire, of Peterboro', be referred to a Select Committee, composed of Mr. Roblin, Mr. Seymour, and Mr. Sherwood, of Brockville, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

## YEAS.

Chalmers, Colville, Cummings, Emmertinger, Gowen, Hall, Lantier, Macdonell of DUNDAS, Small, Smith of WENTWORTH, and Thompson.--(11.)

## NAYS.

Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Christie, DeBleury, DeWitt, Dickson, Drummond, Dunlop, Foster, Greive, Guillet, Hale, Johnston, LaFontaine, Laurin, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of STURMONT, M'Connell, Merritt, Méthot, Meyers, Moffatt, Morin, Papineau, Powell, Price, Prince, Robinson, Roblin, Rousseau, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Taschereau, Webster, and Williams.--(44.)

So it passed in the negative.

The Venerable George O'Kill Stuart and others.

Resolved, That the Petition of the Venerable George O'Kill Stuart and others, proprietors of lot No. 24, in the first concession of the township of Kingston, in the county of Frontenac, be referred to a

Select Committee, composed of Mr. Smith of Frontenac, the Honourable Mr. DeBleury, Mr. Johnston, Mr. Hall, and Mr. Seymour, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

A. N. Buell and others.

Resolved, That the Petition of Andrew N. Buell and others, Practitioners of the Law, residing out of the city of Toronto,

(relating to the Rules of Practice in the Queen's Bench); be referred to a Select Committee, composed of Mr. Sherwood, of Brockville, Mr. Hall, Mr. Macdonald, of Cornwall, Mr. Macdonald, of Kingston and Mr. Macdonald, of Glengarry, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Petition of Andrew N. Buell and others, Practitioners of the Law, residing out of the city of Toronto, (relating to the Law Society,) be referred to the said Committee.

(289)

Rev. P. Pouliot and others.

Ordered, That the Petition of the Reverend P. Pouliot and others, of the parish of St. Pierre les Becquets, in the county of Nicolet; the Petition of Thomas Fortier, M. D., and others, of the parish of

T. Fortier, M. D.

Rev. C. Dion  
and others.

St. Edouard de Gentilly, in the county of Nicolet; the Petition of the Reverend C. Dion and others, of the parish of Bécancour, in the county of Nicolet; and the Petition of Stephen Payment and others, of the parish of St. Grégoire, county of Nicolet; be severally

referred to the Committee of the whole House, on the Bill to repeal two certain Ordinances therein mentioned, relating to winter roads, in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec, to the parish of Nicolet, on the south side of the River St. Lawrence, and to the town of Three Rivers, inclusively, on the North side, and other references.

Master and  
Wardens,  
Trinity House,  
Quebec.

Ordered, That the Petition of the Master and Wardens of the Trinity House of Quebec, be referred to the Select Committee, to which was referred the Bill to amend and consolidate certain Laws, and an Ordinance

now in force, relating to the powers and duties of the Corporation of the Trinity House of Montreal, to Pilots and Pilotage in the Port of Montreal, and to the Montreal Decayed Pilot Fund, and for other purposes, and another reference.

Hon. James  
Crooks.

Resolved, That the Petition of the Honourable James Crooks, of the district of Gore, be referred to a Select Committee, composed

of Mr. Dunlop, the Honourable Mr. Baldwin, Mr. Petrie, Mr. Macdonell, of Dundas, and Mr. Leslie, to examine the contents thereof, and to report thereon, with all convenient speed; with power to send for persons, papers, and records.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Quebec Fire-  
wood Society.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Quebec Charitable Firewood Society," without any amendment.

And also,

Savings Banks.

The Legislative Council have passed the Bill, intituled, "An Act to amend the Act therein mentioned, for the establishment and encouragement of Savings Banks," with several amendments, to which they desire the concurrence

of the Assembly.

And then he withdrew.

Fees of Sheriffs,  
Upper Canada.

Mr. Sherwood, of Brockville, from the Select Committee, to which was referred the Bill to regulate the Fees of Sheriffs and other district officers in that part of this Province called Upper Canada, reported that the Committee had gone through the said Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Monday next.

French  
Language.

The Honourable Mr. Papineau, from the Select Committee, appointed to prepare and report the draught of an Address to Her Majesty, on the subject of the French Language, in conformity with a resolution adopted by the House on the thirty-first January, 1845, presented to the House the Address prepared by the said Committee; which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

To the Queen's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons of Canada, in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty, for the purpose of renewing the expression of our faithful attachment to Your Majesty's Person and Government, and of representing,--

That, sensible of the advantages we enjoy from Your Majesty's care and protection, and which we trust may long be continued to us under Your Majesty's parental sway, it is, at all times, our duty to submit for Your Majesty's most gracious consideration, such matters as may have a tendency, with any class of Your Majesty's subjects, to diminish that contentment which we are well assured, Your Majesty desires should exist in every portion of Your dominions.

That the French is the native language of a very large class of Your Majesty's subjects in this Province; of this class the great mass indeed speak no other language;--in it the largest portion of their laws and the books on their system of jurisprudence are written; their daily intercourse with each other is conducted; it is the language in which alone they can invoke the blessings of Heaven on



themselves and all that is dear to them. A language indispensable to so many of Your Majesty's faithful People, cannot, they will believe, be viewed by their Sovereign as foreign, when used by them.

That Your Majesty's Royal Predecessors placed the languages spoken by the two great classes of Your Majesty's subjects in this Province, on the same footing; affording, in this respect, equal justice and equal facility to all.

That this principle was never departed from until the Act re-uniting these Provinces was passed.

That we do not question that the best intentions and designs influenced the minds of those who enacted the provision which declared:

"That all writs, proclamations, instruments for summoning and calling together the Legislative Council and Legislative Assembly of the Province of Canada, and for proroguing and dissolving the same, and all writs of Summons and Election, and all writs and public instruments whatever relating to the said Legislative Council and Legislative Assembly, or either of them, and all returns to such writs and instruments, and all journals and entries, and written or printed proceedings of what nature soever of the said Legislative Council and Legislative Assembly, and of each of them respectively, and all written or printed proceedings and reports of Committees of the said Legislative Council and Legislative Assembly, respectively, shall be in the English language only."

But, that in the very first Session of the Legislature, under that Act, it was indispensable to translate into French every public record and document. That the debates were not and could not, unless a portion of the Representatives of the People were silenced, be carried on without its use; that in Courts and judicial proceedings it was found equally necessary as before the Union, and for every other practical purpose, it is as much used as it ever has been.

That the only distinction which exists then, is, that the French is not permitted to be the legal language of Parliamentary records; a distinction of little value perhaps in itself,--one which cannot produce any beneficial result on the feelings or habits of the People using it; while it gives rise to a feeling among them injurious to the peace and tranquility of the Province, namely, that this limited proscription of their language conveys, however undesignedly, an imputation of unfavourable distinction towards themselves.

That desirous that the hearts of all men in this Province may be joined in unity, in their attachment to and support of Your Majesty's Person and Government, we humbly pray Your Majesty to endeavour to

remove this cause of discontent, and to recommend to the Imperial Parliament the repeal of that portion of the law which has given rise to it; assuring Your Majesty that such a course will be hailed, by

(290)

Your Majesty's loyal Canadian people, as an additional mark of Your Majesty's solicitude for their welfare.

Ordered, That the said Address be engrossed.

Resolved, That the said Address be communicated by Message, to the Honourable the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That the Honourable Mr. Papineau do carry the said Message to the Legislative Council.

Petition of the  
Municipal  
Council,  
Midland  
District.

Mr. Seymour, from the Select Committee, to which was referred the Petition of the Municipal Council of the Midland district, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee have taken into their consideration the prayer of the Petition referred to them, and have agreed to recommend to your Honourable House, that an Act be passed repealing so much of the 29th section of an Act of the Parliament of the late Province of Upper Canada, passed in the first year of Her present Majesty's reign, intituled, "An Act to incorporate the Town of Kingston, under the name of 'The Mayor and Common Council of the Town of Kingston,'" as relates to the appointment of a Collector, and the assessment and collection of the District Taxes within the limits of the town of Kingston; and to give to the Municipal Council of the Midland District the appointment of such Collector, and the controul over such assessments.

Chambly Cot-  
ton Factory.

The Honourable Mr. Morin, from the Standing Committee on Private Bills, presented to the House the twelfth Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee have considered the Bill to incorporate the Chambly Cotton Manufacturing Company, and have agreed to the same with certain amendments. They report, however, with some hesitation as to the limitation of liability; the object of such limitation, as far as the public interest is concerned, is to bring in capital from persons not directly engaged in the transaction of the business of such Companies. In this case the applicants are only three in number, all belonging

to the same family; and it does not appear that a desire has been evinced anywhere on the part of the public to entrust them with capital in the shape of shares. They allege, however, that such will be the case. Under these circumstances, your Committee have thought proper to call the attention of your Honourable House to the above.

Ordered, That the said Report be committed to a Committee of the whole House, on Monday next.

Ordered, That Mr. Stewart, of Bytown, have leave to bring in a Bill, to define the limits of Bytown, and to establish a Board of Police therein.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Ordered, That Mr. Lacoste have leave to bring in a Bill to amend the Act and Ordinance therein mentioned, relative to the Registration of titles to, and incumbrances upon real property in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

MR. JOHNSTON<sup>1</sup> moved that when this House adjourns it stand adjourned until Monday at 10 o'clock in the forenoon. He said in explanation, that night legislation was so loosely conducted that it led to great confusion and ultimately to litigation. The House might rise at 12 o'clock for lunch, and should never sit later than 10.<sup>2</sup>

M. BERTHELOT fit observer que s'il n'y avait pas de comités qui siégeassent, on pourrait approuver la proposition de l'honorable membre pour Carleton, mais que tant qu'il en siégerait de nombreux, il serait impossible de suivre la marche suggérée par l'hon. monsieur, que cela mettrait un terme aux affaires du pays.<sup>3</sup>

MR. ATTORNEY GENERAL((J.)) SMITH concurred in what had fallen from Mr. Berthelot; if there were no Committees sitting, he should not object to the motion; but it would be the greatest inconvenience to Ministers to be compelled to attend in the House at 10 in the morning.<sup>4</sup>

MR. MORIN thought it would be much better if the Committees sat every morning, and every other evening.<sup>5</sup>

MR. DEBLEURY said, that in a week's time when the Committee (sic) had all risen, the motion might be entertained.<sup>6</sup>

COL. PRINCE hoped that the House would agree in some resolution for an earlier adjournment. The members of that house were greater slaves, than their own servants, or the slaves of Indians. Their health was injured by such late hours. The Congress of the United States rose at 10 o'clock, and it would be well if that House copied so good an example.<sup>7</sup>

MR. MOFFAT said, that in England no new measure was taken up after 12 o'clock, and he hoped the same course would be taken here.<sup>8</sup>

MR. JOHNSTON withdrew his motion<sup>9</sup> .

(290)

*Mr. Johnston moved, seconded by Mr. Dunlop, that this House do adjourn at the hour of ten o'clock, no matter what the question be before the chair.*

*The question having been put upon the said motion, a division ensued, and it passed in the negative.*

Sherbrooke  
Cotton Factory.

*On motion of Mr. Hale, seconded by Mr.  
M'Connell,*

*Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Sherbrooke Cotton Factory," be now taken into consideration.*

*The House proceeded accordingly to take the said amendments into consideration.*

*And the said amendments were read, and are as followeth:--*

*Press 1, line 46.--Leave out "twelve," and insert "eight."*

*" 4, " 20.--Leave out "ten," and insert "six."*

*" 4, " 26.--Leave out "ten," and insert "six."*

*" 4, " 26.--Leave out "twelve," and insert "eight."*

*" 4, " 32 and 33.--Leave out the words ("not being contrary to this Act or Law,") and insert ("not being repugnant to the Laws of this Province, nor inconsistent with the true intent and meaning of this Act.")*

*" 4, " 38 and 39.--Leave out the words "five or more," and insert "not more than seven."*



Press 4, line 43.--After the word "arising," insert the following proviso: "Provided always that the Directors of the said Company, originally elected under the provisions of this Act, or subsequently elected in their stead, or elected for the purpose of filling any vacancies as aforesaid, and forming at any time the Board of Directors of the said Corporation, shall be possessed of shares therein to the amount of one-eighth of the stock of the said Corporation."

" 5, " 20.--After "them," insert the following proviso:  
 "Provided always that no shareholder who shall not be a natural born, or naturalized subject of Her Majesty, or who shall be a subject of any foreign Prince or State, shall, either in person or by proxy, vote at any meeting whatever of the shareholders of the said Corporation, or shall assist in calling any meeting of the shareholders, anything in this Act to the contrary notwithstanding."

" 5, " 22 and 23.--Leave out the words "unless he be a shareholder possessed of at least two shares, nor"

" " " 24.--After "Company," insert the following additional clause:--"And be it enacted, that before this Act shall have its full effect, and the said Company be operative, evidence satisfactory to the Governor of this Province, or person administering the Government thereof for the time being, shall be laid before him, that the requirements of this Act have been bona fide complied with, and that one-half at least of the said capital sum of eight thousand pounds has actually been paid up by the subscribers or stockholders of the said Company, and at the disposal of the Directors thereof, for the purposes of the Company, in accordance with this Act, and notice thereof given in the Canada Gazette, published by authority."

(291)

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Hale do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

Agricultural  
Societies.

Mr. Sherwood, of Brockville, from the Committee of the whole House, to consider the expediency of amending and continuing the Act of Parliament of this Province, intituled, "An Act to continue for a limited time, the certain Acts therein mentioned," and to grant for the encouragement of Agriculture and Agricultural Societies, a sum of money in the several districts of that part of this Province, formerly constituting the Province of Upper Canada, reported, according to order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to amend and continue the Act of the Parliament of this Province, intituled, "An Act to continue for a limited time, the certain Acts therein mentioned," and to grant, for the encouragement of Agriculture and Agricultural Societies, a sum or sums of money, in the several districts of that part of this Province, formerly constituting the Province of Upper Canada.

Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to take into consideration the expediency of granting an aid to Agricultural Societies in Upper Canada.

Notarial  
Profession.

Mr. Foster, from the Committee of the whole House, on the Bill to organize the Notarial profession in that part of the Province called Lower Canada, reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Toll-Bridge,  
River Richelieu.

Mr. Price, from the Committee of the whole House, on the Bill to authorize John Yule, junior, to build a Toll Bridge over the River Richelieu, in the parish of Saint Joseph de Chambly; to fix rates of Toll for passing thereon, and to provide regulations for the same, reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Civil and Po-  
litical Rights.

Mr. Chalmers, from the Committee of the whole House, on the Report of the Select Committee, to which was referred the Bill, to revive and

*continue for a limited time, part of the fourth clause of an Act passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled, "An Act to secure to, and confer upon certain inhabitants of this Province, the Civil and Political Rights of natural born British subjects," reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.*

*Ordered, That the said Bill, as amended, be engrossed.*

Municipal  
Authorities,  
Lower Canada.

*The Order of the Day for the second reading of the Bill, to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada, being read,<sup>10</sup>*

M. PAPINEAU eût expliqué la nature de cette première mesure<sup>11</sup> .

M. LAFONTAINE se leva et dit qu'il était en faveur d'une loi municipale; qu'il en comprenait l'avantage; que la loi des municipalités actuelles n'avait été repoussée par la population du Bas-Canada que parce qu'elle était odieuse dans sa nature; que parce qu'elle manquait de cette essence du principe électif et populaire; que le projet de loi actuelle imposait une taxe de 3 par cent sur la valeur de la propriété et non sur le revenu annuel, c'est-à-dire que si une propriété vaut trois cents louis, la loi en perspective pourrait l'obliger à payer £15; qu'on avait introduit dans ce bill une clause<sup>12</sup> qui touchait à l'enrégistrement des voix, non pour des fins municipales, mais pour des fins législatives; que ce n'était pas une manière noble et franche de législater; que si l'on voulait imposer au Bas-Canada un principe qu'il repousse, on devait le faire franchement et dans une loi d'élection, non pas dans une loi de municipalité.<sup>13</sup> He also objected to unlimited powers being given to the district Councils to raise taxes, and said it was the duty of the Government to have fixed the amount which they were authorized to levy.<sup>14</sup>

M. PAPINEAU répliqua que cette somme n'était pas trop élevée. Mais après ... il déclara ... que le chiffre trois avait été placé par erreur dans l'imprimé, que l'intention du gouvernement était de laisser la chose en blanc, etc.<sup>15</sup>

The Attorney General ((MR. J. SMITH)) said that there was no desire to act secretly in this matter, and that the only object had been to prepare the machinery, in case the House should decide on a system of registration hereafter. The best proof of this was that ... the clause referred to could have no effect till a general law was brought in. He had, however, no objection that the clause should be struck out, though he considered that such a proceeding was unnecessary.<sup>16</sup>

MR. MOFFATT was of opinion that the amount of taxes which the Councils could levy should have been expressed in the bill - that the Government should have fixed the maximum. He also considered that the principle of taxing moveable property was very objectionable, and that it would have been better if an enumeration of the articles which were to be taxed had been made, instead of giving such extensive powers to the Councils.<sup>17</sup>

M. LAFONTAINE ... ((fit)) motion que le comité chargé de cette mesure ((ait)) instruction de retrancher cette ((25ème)) clause<sup>18</sup> .

((Les ministres)) s'y opposèrent.<sup>19</sup>

M. LAFONTAINE leur dit ... qu'il voulait voir leur assentiment inscrit sur le journal, en autant que M. Christie et d'autres membres de la chambre avaient été plus d'une fois victimes de cet assentiment non écrit<sup>20</sup> .

((Les ministres)) laissèrent passer la motion<sup>21</sup> .

(291)

*The said Bill was accordingly read, and referred to a Select Committee, composed of the Honourable Mr. Papineau, the Honourable Mr. Moffatt, Mr. Brooks, Mr. Hale, the Honourable Mr. Morin, Mr. Taché, Mr. Lacoste, Mr. Colville, and Mr. Berthelot, to report thereon with all convenient speed; with power to send for persons, papers, and records.*

*Ordered, That it be an instruction to the said Committee, to expunge the twentieth paragraph of the twenty-fifth section of the said Bill.*

Elementary  
Instruction.

*The Order of the Day for the second reading of the Bill, to make better provision for Elementary Instruction in Lower Canada, being read, 22*

L'honorable ((M.D.B.)) PAPINEAU fit motion pour la seconde lecture de son bill d'éducation.<sup>23</sup>

Speeches were delivered by MESSRS. MORIN, BERTHELOT, and CAUCHON, against the system of taxation proposed by the bill.<sup>24</sup>

DR. DUNLOP in referring to this opposition, asked whether they were to believe that the hon. gentlemen really wished to educate their country men when they cavilled at the plain and obvious plan proposed by the member for Ottawa. If there was anything for which it was desirable to raise taxes it was education. The Roman people educated



those whom they had subjugated, and in the country he came from the higher branches of education at the present day were called humanities - from the latin word humanitas. Educate your people, then - educate them from top to bottom, or rather from bottom to top (laughter). I am not now speaking, said the doctor, of fundamental principles, but in this House it is the fashion to oppose measures because they are introduced from this or that side: this is not my plan. If the enemy of mankind were to propose a good measure and the arch-angel Gabriel were to oppose it, the former hon. gentleman should have my support - supposing always he was in the right! (laughter.)<sup>25</sup>

MR. ROBLIN rose to order. He objected to such language.<sup>26</sup>

((DR. DUNLOP)) continued: he would support the bill, and pay no attention to the puritanical objections of the gentleman opposite, who, by the by, had the reputation of being a remarkably pious man. The question was, should they educate the people, and those who made objections to such a course, however they might cloak those objections, were not the friends of education.<sup>27</sup>

La motion fut agréée à l'unanimité.<sup>28</sup>

(291)

*The said Bill was accordingly read and referred to a Select Committee, composed of the Honourable Mr. Papineau, the Honourable Mr. Attorney General Smith, the Honourable Mr. Moffatt, the Honourable Mr. Morin, Mr. M'Connell, Mr. Taché, Mr. Lacoste, Mr. Berthelot, and Mr. Petrie, to report thereon with all convenient speed; with power to send for persons, papers, and records.*

Insolvent Debtors.

*The Order of the Day for the House in Committee, on the Bill for the relief of Insolvent Debtors, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Colville took the chair of the Committee,*<sup>29</sup>

The Solicitor General ((MR. H. SHERWOOD)) explained to the House that the Bill had undergone considerable alteration in Committee, and was now, he considered, as perfect a measure as could well be devised, and applicable to both divisions of the Province, should it be required.<sup>30</sup>

It was opposed by MR. JOHNSTON, who ... ((thought)) it opened the door to fraud on the part of debtors.<sup>31</sup>

MR. ((ROLLAND)) MACDONALD (of Cornwall) in supporting the measure, said there was a strong feeling in favor of the unfortunate debtors,

but very little for the unfortunate creditor. The consequence of this feeling and the laws which had been passed was to destroy credit. He wished that a clause should be introduced into the Bill giving the creditor the power of forcing the debtor into the Insolvent Court, and not leaving it to his option as was now the case. He also objected to the manner in which the labours of Special Committees were disregarded in that House by hon. Members who had paid little attention to the measures which they opposed.<sup>32</sup>

A good deal of discussion took place on the different clauses<sup>33</sup> .

(291)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Colvile reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Ordered, That the said Bill, as amended, be printed in each of the English and French languages, for the use of the Members of this House.

Small Debts.

The Order of the Day for the House in Committee on the Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province formerly Upper Canada, for the recovery of Small Debts, and to make other provision therefor," being read,

Ordered, That the said Order of the Day be postponed until Monday next, and that it be then, specially, the first Order of the Day.

Duties on Customs.

The Order of the Day for the House in Committee to consider the expediency of repealing certain Acts imposing Duties on Customs, and for other purposes connected with the Revenue, and for enacting others in lieu thereof, being read,

The House accordingly resolved itself into the said Committee.

Mr. Smith, of Frontenac, took the chair of the Committee,<sup>34</sup>

A resolution to the effect that it was expedient to repeal and consolidate the laws relative to Customs' Duties ((was moved)).<sup>35</sup>

The Blank Schedule of Duties was moved in a separate resolution<sup>36</sup> .

(291)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith reported that the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again, on Tuesday next.

Ordered, That Mr. Boulton have leave to absent himself from this House for twelve days from this date.

(292)

British Planta-  
tion Vessels.

The Order of the Day, for the House in Committee, on the Bill to secure the right of property in British Plantation vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the Registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

Ordered, That the said Order of the Day be postponed until Tuesday next.

Building  
Societies.

The Order of the Day for the second reading of the Bill for the regulation of "Benefit Building Societies," being read,

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Trinity House,  
Quebec.

The Order of the Day for the second reading of the Bill to amend and consolidate the Laws and Ordinances now in force, relating to the powers and duties of the Corporation of the Trinity House of Quebec, to Pilots and Pilotage in the Port of Quebec, and to the Quebec decayed Pilot Fund, and for other purposes, being read,

Ordered, That the said Bill be read a second time, on Tuesday next.

Then, on motion of Mr. Gowan,

The House adjourned until Monday next.



FOOTNOTES - 21 FEBRUARY 1845.

1. The debate on this matter was reported by: the MONTREAL TRANSCRIPT 22 February 1845, and LA MINERVE, 27 February 1845, in accounts abbreviated but otherwise identical to that of the MONTREAL GAZETTE, 25 February 1845, and BRITISH WHIG, 28 February 1845. KINGSTON NEWS, 27 February 1845, noted the debate.
2. MONTREAL TRANSCRIPT, 22 February 1845.
3. LA MINERVE, 27 February 1845.
4. MONTREAL GAZETTE, 25 February 1845.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. The debate on this matter was reported by: MONTREAL GAZETTE, 25 February 1845, BRITISH WHIG, 28 February 1845, MONTREAL TRANSCRIPT, 22 February 1845, and LA MINERVE, 24 February 1845, in identical accounts; and LE JOURNAL DE QUEBEC, 1 March 1845.
11. LE JOURNAL DE QUEBEC, 1 March 1845.
12. MONTREAL TRANSCRIPT, 22 February 1845, explains that this was "the 25th clause which provides the machinery for a future registration of votes."
13. LE JOURNAL DE QUEBEC, 1 March 1845.
14. MONTREAL TRANSCRIPT, 22 February 1845.
15. LE JOURNAL DE QUEBEC, 1 March 1845, reported that Papineau first of all spent an hour defending the sum involved before sensing that it was best to bow to majority sentiment and to leave the amount blank.
16. MONTREAL TRANSCRIPT, 22 February 1845.
17. IBID.
18. LE JOURNAL DE QUEBEC, 1 March 1845.
19. IBID.
20. IBID.
21. IBID.
22. The debate on this matter was reported by: MONTREAL GAZETTE, 25 February 1845, BRITISH WHIG, 28 February 1845, and the MONTREAL TRANSCRIPT, 22 February 1845, in identical accounts; LA MINERVE 24 February 1845; and LE CANADIEN, 28 February 1845. KINGSTON NEWS, 27 February 1845, noted the debate.
23. LE CANADIEN, 28 February 1845.
24. MONTREAL TRANSCRIPT, 22 February 1845.
25. IBID.
26. IBID.
27. IBID.
28. LE CANADIEN, 28 February 1845.
29. The debate on this matter was reported by: the MONTREAL TRANSCRIPT, 22 February 1845, BRITISH WHIG, 28 February 1845, and MONTREAL GAZETTE, 25 February 1845, in identical accounts; and in LA MINERVE, 27 February 1845. KINGSTON NEWS, 27 February 1845, noted the debate.
30. MONTREAL TRANSCRIPT, 22 February 1845.

31. IBID.
32. IBID.
33. MONTREAL TRANSCRIPT, 22 February 1845. LA MINERVE, 27 February 1845, also noted that the debate was "assez longue".
34. The debate on this matter was reported by: LA MINERVE, 27 February 1845; and MONTREAL GAZETTE, 25 February 1845, and BRITISH WHIG, 28 February 1845, in identical accounts.
35. MONTREAL GAZETTE, 25 February 1845.
36. IBID.

MONDAY, 24 FEBRUARY 1845.

(292)

Petitions  
brought up.

THE following Petitions were severally brought up and laid on the table:--

By Mr. Williams, the Petition of Fleetwood Cubitt and others, members of the United Church of England and Ireland, in the townships of Darlington and Clarke, Canada West, (relating to Common Schools.)

By Mr. Foster, the Petition of William Dampier and others, members of the Church of England in the township of Shefford, Canada East.

By the Honourable Mr. Moffatt, the Petition of John Ostell and others, for and in behalf of the Mechanic's Institute of Montreal.

By Mr. Lacoste, the Petition of the Reverend A. T. Whitten and others, members of the Church of England, in the mission of L'Acadie, county of Chambly, in the diocese of Quebec.

By Mr. Prince, the Petition of John Dolson, Esquire, Warden, and others, of the Western district; and the Petition of F. Baby, Esquire, and others, of the Western district.

By Mr. Murney, the Petition of the Municipal Council of the district of Victoria, (relating to the Common School Act); the Petition of the Municipal Council of the district of Victoria, (relating to the administration of justice); and the Petition of the Municipal Council of the district of Victoria, (relating to a road).

By Mr. Macdonald, of Glengarry, the Petition of James Grant, of Martintown, in the county of Glengarry.

By the Honourable Mr. Aylwin, the Petition of Thomas Brownlee and others, Pilots for and below the harbour of Quebec.

By Mr. Hale, the Petition of the Reverend Charles Morris and others, of the county of Portneuf.

By the Honourable Mr. Robinson, the Petition of George A. Douglas and others, of the district of Simcoe.

By Mr. Gowan, the Petition of Thomas Scott, of the township of Burgess, in the district of Bathurst, Stone Mason.

By Mr. Chalmers, the Petition of John Chapman and others, occupants of Clergy Reserve Lands, in the township of Nassagaweya, in the district of Gore; and the Petition of George Easton and others, of the township of Nassagaweya, in the county of Halton, in the district of Gore.

By Mr. Watts, the Petition of the Reverend David Dunkerly and others, of Durham, Kingsey, and neighbouring townships; and the Petition of the Reverend Richard Lonsdell and others, of Tingwick, (relating to the Clergy Reserves).

Civil and  
Political  
Rights.

An engrossed Bill to revive and continue for a limited time, part of the fourth clause of an Act passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled, "An Act to secure to, and confer upon certain inhabitants of this Province, the civil and political rights of natural born British subjects," was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled, 'An Act to secure to, and confer upon certain inhabitants of this Province, the civil and political rights of natural born British subjects,' and to make further provision regarding aliens."

Ordered, That Mr. Powell do carry the said Bill to the Legislative Council, and desire their concurrence.

Notarial  
Profession.

An engrossed Bill to organize the Notarial profession in that part of this Province, called Lower Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council, and desire their concurrence.

Toll-Bridge,  
Richelieu.

An engrossed Bill to authorize John Yule, junior, to build a toll bridge over the river Richelieu, in the parish of Saint Joseph de Chambly; to fix the rates of toll for passing thereon; and to provide regulations for the same, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to authorize John Yule, the younger, to build a toll bridge over the river Richelieu, in the parish of Saint Joseph de Chambly; to fix the rates of toll for passing thereon; and to provide regulations for the same.

Ordered, That Mr. Hale do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--



Of the Reverend Samuel Wood and others, members of the Church of England, in the town of Three Rivers; and of the Reverend C. Jackson and others, members of the Church Society of the diocese of Quebec, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

(293)

Of Thomas Vaux, Second Office Clerk to the Legislative Assembly, praying for an increase of salary.

Of the Municipal Council of the Midland district, praying that certain powers asked for by the Corporation of the town of Kingston, relative to the collection of District Taxes within the said town, be not granted.

Of John Whitlaw and William Tennant, of Montreal, praying for a settlement of their account, as contractors on the Chambly Canal.

Of John Martin and others, of the township of Richmond, in the Midland district, praying that the Clergy Reserve Lands in Upper Canada, may not be divided amongst the different religious denominations, as petitioned for.

Of the Municipal Council of the Home district, praying that a more adequate sum may be paid by the Corporation of the City of Toronto for the maintenance of the city prisoners, in the gaol of the district.

Petitions  
referred.

D. M'Intosh  
and others.

Ordered, That that part of the Petition of Donald M'Intosh and others, of the parishes of St. Polycarpe, St. Ignace, and St. Joseph, in the county of Vaudreuil, which prays for amendments in the Common School Laws, be referred to the Select Committee to which was referred the Bill to make better provision for elementary instruction in Lower Canada.

Thomas Vaux.

Mr. Gowan moved, seconded by Mr. Greive, that the Petition of Thomas Vaux, Second Office Clerk to the Legislative Assembly, be referred to the Standing Committee on Contingencies.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Bertrand, Chalmers, Cummings, DeWitt, Foster, Gowan, Hall, Lacoste, LaFontaine, Laurin, Macdonell of DUNDAS, Macdonell of STORMONT,

M'Connell, Merritt, Murney, Papineau, Powell, Price, Prince, Roblin, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of PRESCOTT, and Webster.--(27.)

NAYS.

Aylwin, Chabot, Chauveau, Christie, Colville, DeRleury, Dickson, Dunlop, Guillet, Hale, Johnston, Lantier, LeMoine, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, Meyers, Moffatt, Robinson, Scott, Small, Attorney General Smith, Stewart of BYTOWN, and Williams.--(24.)

So it was carried in the affirmative, and

Ordered accordingly.

Albert Furniss.      Resolved, That the Petition of Albert Furniss, of Montreal, be referred to a Select Committee, composed of the Honourable Mr. Solicitor General Sherwood, the Honourable Mr. Moffatt, Mr. Gowan, Mr. Dickson, and Mr. Price, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

D. M'Intosh and others.      Ordered, That that part of the Petition of Donald M'Intosh and others, of the parishes of St. Polycarpe, St. Ignace, and St. Joseph, in the county of Vaudreuil, which prays for amendments to the Ordinance, establishing municipal authorities in Lower Canada, be referred to the Select Committee, to which was referred the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada, with an instruction to the said Committee.

Municipal Council, Midland District.      Ordered, That the Petition of the Municipal Council of the Midland district (relating to the Petition of the Corporation of Kingston) be referred to the Select Committee, to which was referred the Petition of the Venerable George O'Kill Stuart and others, proprietors of lot No. 24, in the first concession of the township of Kingston, in the county of Frontenac.

Petition of R. Harrison and others.      Mr. Berthelot, from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met on Saturday, but were unable to proceed to business, in consequence of the absence of Mr. Taché, the chairman, the Honourable

Election, Third Riding York.

Mr. Attorney General Smith, and Mr. Scott.

That they also met this day, but the absence of Mr. Taché prevented them from proceeding to business.

Ordered, That the said Committee have leave to proceed to try the merits of the said Election, in the absence of Mr. Taché, one of the Members of the said Committee, who is incapacitated by illness, from serving upon the same.

Preservation  
of Salmon,  
District of  
Gaspé.

Legal proof  
of Marriages,  
Gaspé.

of the Peace in the late inferior district of Gaspé, Births, Baptisms, and Burials therein, have leave to report separately on each of the said Bills.

Proof of  
Marriages,  
&c. &c.

Peace in the late inferior district of Gaspé, Births, Baptisms, and Burials therein, reported to the House, that the Committee had gone through the said Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Toronto and  
Lake Huron Rail-  
road Company.

Fourth, intituled, "An Act to incorporate the City of Toronto, and Lake Huron Railroad Company."

Ordered, That the Select Committee, to which was referred the Bill to enable local authorities in the district of Gaspé, to provide Bye-Laws, Rules, and Regulations, for the preservation of the Salmon and other Fisheries therein, and for certain other local and municipal purposes therein mentioned; and the Bill to provide for the legal proof and preservation thereof, of certain Marriages formerly had before Justices

Mr. Christie, from the Select Committee, to which was referred the Bill to provide for the legal proof and preservation thereof, of certain Marriages formerly had before Justices of the

Ordered, That the Honourable Mr. Solicitor General Sherwood have leave to bring in a Bill to amend an Act passed in the fourth year of the reign of His late Majesty, King William the

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next.

North Ameri-  
can Colonial  
Association.

Ordered, That the Bill to give further powers to the North American Colonial Association of Ireland, be read a second time on Thursday next.

On motion of Mr. Dunlop, seconded by Mr. Johnston,



Statement in  
relation to  
Salaries, &c.

Ordered, That the Clerk of the House, under the  
superintendence of Mr. Speaker, do prepare and

(294)

of Clerks and  
Officers of  
the House.

lay before this House a Statement, showing the  
several Officers and Clerks in its employ, in  
the receipt of annual Salaries; the period when  
they first entered its service, and the Salaries  
which it is expedient to allow to each of them, whether by increasing or  
diminishing their present allowance, with a view to render the amount  
apportioned, fixed and permanent for the future.

On motion of the Honourable Mr. Papineau, seconded by the Honourable  
Mr. Attorney General Smith,

Highways and  
Bridges.

Resolved, That this House will, to-morrow, resolve  
itself into a Committee of the whole House, to  
consider whether it is expedient to repeal and  
amend several Laws now in force relating to Highways and Bridges in that  
part of this Province heretofore called Lower Canada, and to substitute  
other provisions on the same subject, which may be more effectually car-  
ried into operation by means of local or municipal authorities.

COL PRINCE<sup>1</sup> moved for leave to introduce a Bill to provide against  
the desecration of the Sabbath.<sup>2</sup>

The announcement was received upon the opposition side with ironical  
cheers.<sup>3</sup>

(294)

Profanation  
of the Lord's  
Day.

Ordered, That Mr. Prince have leave to bring in a  
Bill to prevent the profanation of the Lord's  
Day, commonly called Sunday.

He accordingly presented the said Bill to the House.

Mr. Prince(('s)) ... Bill ((was)) to prevent the profanation of the  
Lord's Day, by making it penal to work, hunt, shoot, play cards, tipple,  
or to be found drunk in the streets, or in any other manner disturb the  
peace of that day.<sup>4</sup>

MR. MURNEY congratulated Col. Prince upon his language of sentiment<sup>5</sup>,  
since last session<sup>6</sup>, when that gentleman had introduced his Game Bill,  
it had been without the clause providing against hunting on the Sabbath.  
Upon the third reading of that Bill, he (Mr. M.) had moved for the intro-  
duction of this clause, but the motion was rejected. He had then begged  
that it might be extended to Upper Canada, but that had also been refused,  
and he believed that Col. Prince had voted against it. He trusted that  
the Bill would be received, at least so far as Upper Canada was concerned<sup>7</sup>,



where it was very much regretted that this law was ever abolished. (Hear, hear.)<sup>8</sup>

The Solicitor-General ((MR. H. SHERWOOD)) did not know of any change in Col. Prince's opinions, as he had attempted strenuously (sic) to have this clause passed; but finding that impossible, from the manner in which the House was constituted, withdrew that clause to save his bill.<sup>9</sup>

MR. MOFFATT would vote for the reception of the Bill, but when it came up for discussion, he would not vote for its application to those of the Roman Catholic Religion, if they did not desire it.<sup>10</sup> (Hear, hear.)<sup>11</sup>

(294)

*and the same was received and read for the first time, and ordered to be read a second time, on Monday next.*

Winter Roads.                      *Ordered, That the Bill further to amend the Laws relative to Winter Roads in Lower Canada, be read a second time on Thursday next, and that it be then the first Order of the Day.*

Driving over Bridges.                      *Ordered, That the Bill to prevent persons riding or driving at a fast rate over certain Bridges erected across the Grand River, in Upper Canada, be read a second time, on Thursday next, and that it be then the second Order of the Day.*

Petition of J. D. M'Kenzie and others.                      *Ordered, That the Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the Petition of John D. M'Kenzie and others, of the township of Beverley, in the district of Gore and other places, be postponed until Thursday next, and that it be then the third Order of the Day.*

Lessees of Ferries.                      *Ordered, That Mr. Webster have leave to bring in a Bill for better enforcing the provisions of the Act of the Legislature of Upper Canada, for the regulation of Ferries, and for protecting the rights of the Lessees of Ferries.*

*He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.*

Winter Roads.                      *Ordered, That the Order of the Day for the House in Committee, on the Bill to repeal two certain Ordinances therein mentioned, relating to Winter Roads, in that part of*

the Province heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec to the parish of Nicolet on the South side of the River St. Lawrence, and to the town of Three Rivers inclusively, on the North side, and other references, be postponed until Thursday next, and that it be then the fourth Order of the Day.

On motion of Mr. Christie, seconded by Mr. Thompson,

Proof of  
Marriages.

Resolved, That the Bill to provide for the legal proof and preservation thereof of certain Marriages, formerly had before Justices of the Peace, in the late inferior district of Gaspé, Pirthe, Baptisms, and Burials, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Watts took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Watts reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

MR. AYLWIN moved the House into Committee relative to the Administration of Justice in the District of Quebec<sup>12</sup>. He stated that for several years past the administration of Justice had been most unsatisfactory, in consequence of the disputes between the Bench and Bar. The Bar almost unanimously vindicated its conduct, and the Bench attempted to treat its publications in the newspapers as libellous.<sup>13</sup> If that continued to the present day, he would not have taken the step he was now about to take, but<sup>14</sup> the question was not now a question between the Bench and Bar, for the last two years the Bench had been disgraced by scenes of violence between the ((Montreal and Quebec)) judges<sup>15</sup>, and the ermine of the Judge had been defiled by exhibitions of malevolent feelings - feelings which it is to be expected a Judge should be free from.<sup>16</sup> If the violence that takes place in the English, Canadian, or United States Legislatures were regretted by some persons with whom he could not concur, he replied to them that such must be the case, as long as man is man<sup>17</sup>. The exhibition of feeling in Legislative bodies was to be excused, it was necessary to the freedom of discussion; but when such scenes took place upon the Bench<sup>18</sup>, and judge after judge protests against the arbitrary conduct of one man, and when in one case it had almost proceeded to acts of violence<sup>19</sup>, it was

absolutely necessary that there should be an investigation into such an abuse.<sup>20</sup> It was time for the authorities to step in and put a stop to it.<sup>21</sup> The quarrel was one between one portion of the Bench and another; all could not be in the right, but all might be in the wrong. The business of the country was brought to a stand still, and term after term went off without decisions being given in consequence of the Judges not being able to agree.<sup>22</sup> Although he may conceive it his duty sometimes fearlessly to complain of any man or body of men, yet, as a senior at the Quebec Bar, he feels it an exceedingly delicate matter to move in this<sup>23</sup>; he had been called upon to do so, some time since, but had not done so.<sup>24</sup> But after reaching the head which it has at present attained, he would be failing in his duty to himself and his clients; it would be criminal not to bring it under the notice of the house; without further remark, he would, therefore, move the house into committee to inquire into the expediency of an investigation into the administration of justice in Quebec.<sup>25</sup>

(294)

*The Honourable Mr. Aylwin moved, seconded by Mr. Cauchon,*

*Court of  
Queen's Bench,  
Quebec.*

*That this House do now resolve itself into a Committee of the whole, to consider the expediency of enquiring into the administration of Justice in Her Majesty's Court of Queen's Bench, for the district of Quebec.*

MR. ATTORNEY GENERAL ((J.)) SMITH objected to the motion. The member for Quebec when he gave notice of this motion, stated his intention to refer it to a select Committee of seven members. He considered the motion as informal<sup>26</sup>; it was necessary to know from the hon. gentleman whether his motion referred to the system of law administered at Quebec, or to the persons by whom the law was there dispensed.<sup>27</sup>

MR. AYLWIN - I refer to the judges.<sup>28</sup>

Well, on that point, the Attorney General ((MR. J. SMITH)) had to make a few remarks, before going into committee. It appeared to him that any charges brought against any individual should be made specifically, by petition<sup>29</sup>. Such was the Constitutional course, and the one pursued in England. An enquiry in Committee of the Whole upon the expediency of investigating the Administration of Justice was so vague and general, that it could not attain the required result.<sup>30</sup> He would not say that there were not sufficient grounds to make a charge of misconduct, but all he wanted was that the charges should be properly made.<sup>31</sup> An enquiry into the Administration of Justice implied a defect in the system of law, or in its practice; but it appeared that the intention of the motion was against the members of the Court itself. He put it to the House whether before such an investigation was gone into, was it not right that there should be some specific charge made against an individual

member of that Court. No ultimate action could be taken without such a charge being made, whereupon an enquiry could take place, and resolutions be founded. He should therefore vote against the motion, unless the honble. member was prepared to make a specific allegation.<sup>32</sup>

MR. MOFFATT concurred in the remarks of the Attorney General. He also considered that before being called upon to go into an important enquiry like the present, notice ought to have been given, a day fixed, and the subject placed upon the orders, so that members might come prepared for it. He should object to it upon that ground.<sup>33</sup>

(294)

*The question having been put upon the said motion, the House divided thereon.*

YEAS.....17

NAYS.....32

*So it passed in the negative.*

Oxford con-  
tested Election.

*Ordered, That Robert Riddell, Esquire, sitting Member for the county of Oxford, be excused for his non-attendance upon this House; and that he have further leave of absence until Friday next, for the purpose of attending upon the Commissioners, appointed to take evidence in the matter of the Petition of Francis Hincks, Esquire, against the return of the said Robert Riddell.*

Report on  
Education.

*Ordered, That five hundred copies of the Annual Report of the Superintendent of Education, for Lower Canada, on the present state of the Schools in that part of the Province, and of education generally, laid before the House on the eighteenth instant, be printed in each of the English and French languages, for the use of the members of this House.*

Agriculture,  
Lower Canada.

*Ordered, That the Orders of the Day for the second reading of the Bill to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein, be discharged.*

*Ordered, That Mr. Hale have leave to withdraw the said Bill.*

*The said Bill was withdrawn accordingly.*

Registry Laws,  
Upper Canada.

*Mr. Hall, from the Committee of the whole House, on the Bill to alter and amend the Registry Laws of that part of this Province, which was formerly Upper*



Canada, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

(295)

Management  
of Customs.

MR. SPEAKER,

The Legislative Council have passed the Bill, intituled, "An Act to provide for the management of the Customs, and matters relative to the collection of the Provincial Revenues," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Contingencies.

Mr. Thompson, from the Committee of the whole House, on the third Report of the Standing Committee on Contingencies, reported, according to order, the resolutions of the said Committee; which resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

Resolved, That there be allowed to the Sergeant-at-Arms, attending this House, the sum of fifty pounds currency, in addition to his salary for the year 1844, and that the like sum be paid him annually in future.

Resolved, That the furnishing the Upper Canada Gazette to the Members of this House, be dispensed with.

Resolved, That for the reasons set forth in the Report of the said Committee, there be granted to the second Clerk of Committees to this House, an addition of twenty-five pounds to his salary, commencing with the present quarter.

Resolved, That there be paid to Edward John Barker, the sum of thirty-five pounds in full satisfaction of his claim, as recommended by the said Committee.

Resolved, That Robert Defries, the Post Office Messenger to the House, be allowed the sum of twelve shillings and sixpence per day, from the commencement of the present Session.

Resolved, That the sum of thirty-two pounds five shillings currency, be granted to Guillaume D'Eschambault, Esquire, to remunerate him for his services as a Commissioner for taking evidence on the contested

*election of Oliver Berthelot, in 1833.*

Insolvent  
Debtors.

*The Order of the Day for receiving the Report of the Committee of the whole House, on the Bill for the relief of Insolvent Debtors, being read,*

*Ordered, That the said Order of the Day be postponed, until Thursday next.*

Culling and  
Measurement  
of Timber.

*The Order of the Day for the second reading of the Bill to regulate the Culling and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th*

*Victoria, chapter 25, being read,*

*The said Bill was accordingly read, and referred to the Select Committee, to which was referred the Petition of John P. Waterson and others, licensed Deal Cullers of the city of Quebec, and other references.*

Montreal  
College of  
Medicine.

*The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Bill to incorporate the Montreal College of Medicine and Surgery, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Hall took the chair of the Committee.<sup>34</sup>*

MR. SCOTT, in moving the reading of the first clause, said that there was a Bill to incorporate a body of gentlemen who had made great exertions for the benefit of Medical Science, and who were entitled to the thanks of the country. Although the school was as yet young, yet its success had been unprecedented, and it had already 70 students, French and English. The instruction given in French was of great advantage, as many of the students came from country places, and not being very conversant with the English language, gave a preference to a school in which they were taught in one which they understood better. If it progressed as it had done before, it would become an ornament; he therefore anticipated no opposition, and should move the adoption of the first clause<sup>35</sup>.

DR. DUNLOP ((seconded the motion.))<sup>36</sup> Il dit dans son discours qu'il accordait son cordial appui en particulier à la clause qui ordonne qu'il sera donné un cours en français et en anglais, parce que la connaissance de la langue française était indispensable pour l'étude de la médecine: qu'elle était en réalité aussi nécessaire aux élèves qui s'y destinent que la langue latine. Il avait lui-même l'avantage de connaître assez le français pour le lire et le bien comprendre, quoiqu'il ne pût pas le parler, et il assurait que s'il possédait quelque savoir en fait de science médicale et de chirurgie, il pouvait dire qu'il le devait en

grande partie à sa connaissance de la langue française. Qu'il puisait dans ces circonstances une raison additionnelle pour maintenir cette langue dans les registres législatifs. Le savant docteur était d'opinion qu'il fallait encourager l'établissement en question, et lui conférer les pouvoirs réclamés par le bill.<sup>37</sup>

MR. ATTORNEY-GENERAL ((JAMES)) SMITH objected to the Institution now sought to be incorporated being termed a "College." It was not usual in Europe for any Institution to possess that name unless it was incorporated by Royal Charter, and possessed the power of conferring Degrees, or some exclusive privilege; and it would be a departure from established custom to give the name without the power. The College of Surgeons in London did not confer a Degree, but it gave a license to practice; the power of giving the Degree being vested in the College of Physicians and the Universities. All the Medical Institutions in Europe were called Schools of Medicine, there being one college in each country, which gave the Degrees. The Schools of Great Britain and Ireland did confer Degrees, but merely gave certificates of the time of study. In Great Britain and Ireland there was no Institution which conferred a Degree but Universities and Colleges of Physicians. The most celebrated Schools of Medicine, which were attended by the most celebrated men of the day were not called Colleges, but Schools. The name ought not to be given, without the power, and that could not be conferred except by a Royal Charter. He called upon that House to consider before it established the principle which would be allowed by granting this application. If five or six individuals could by application to that House obtain a Charter with all the attributes of a Royal Charter, if it were granted in the present instance, what could prevent others claiming and receiving it hereafter? That House had not the power to create a College, that was a right vested in the Crown alone. Of the Schools of London which were numerous and attended by the first Physicians of the age, and at which there were frequently 500 Students, no degree was conferred by a mere certificate of attendance. The schools of Dublin, Edinburgh, Glasgow, Manchester, Liverpool, and other cities had not the power to confer Degrees, but were simply Schools and not Colleges. It would be departing from correct principles to give this Institution, an act of Incorporation as a College, or the right to confer Degrees, which could be only done by Royal Charter.<sup>38</sup>

DR. DUNLOP said, he could not conceive anything so horrible in the word College. That word would not confer the right of granting diplomas. There was another Bill about to be introduced by the Government which would not only prevent the School from exercising such a power, but could take it from some who now possessed it. If the word was objected to, let it be struck out.<sup>39</sup>

MR. HALE said, that if this Institution were made a College, the country would soon be overrun with Colleges, there would be half a dozen in Montreal. In no part of Europe was there more than one Head Medical College, however many Schools there might be in the country. In France,

there was but one. He considered it was inexpedient to establish more than one, it would lead to a variety of grades in degrees, which would tend at last to make those degrees worthless. It was essential to the well being of the Medical Profession that there should be no more than one or two Colleges with the power of conferring degrees. If the principle now sought for was granted, there was no reason why there should not be a College of Medicine in every village in the country.<sup>40</sup>

MR. ((HENRY)) SMITH, of Frontenac, concurred in the remarks which had fallen from Mr. Hale. If the present Institution were called a College, in the next Session they would be called upon to create numberless other Colleges. He believed that it was not the wish of the petitioners to be erected into a College, but a School of Medicine, at least it so appeared from an extract from a work published by Dr. Badgley, one of the petitioners, which he read to the House. He was opposed to giving the power of conferring diplomas to every Institution which chose to ask for it. With the same propriety, a number of Law Schools might be established in Lower Canada.<sup>41</sup>

DR. DUNLOP said, when he went to school, he went to a schoolmaster, and the school was a school; but the schoolmaster was now a Professor, and the School an Academy. Then it was the fashion to give large names to small things, he did not see why the word College should be objected to. However if they were determined to quarrel with the name, he had no objection to see it altered.<sup>42</sup>

MR. SCOTT said, if the name conferred the power of granting diplomas he should agree in the remarks which had been made. The opposition which had been offered to this measure arose from mere jealousy, and there were no two doctors in the city who could agree, and envy of the name of College had produced this cavilling.<sup>43</sup>

MR. MOFFATT said, that unless this Institution had the power of conferring degrees, the term College was a misnomer. That power could only be conferred by the Crown, and was part of the prerogative.<sup>44</sup>

Upon a division, the amendment was lost.<sup>45</sup>

Upon the reading of the fourth clause, which gives power to the College to confer a diploma or certificate of ability to practice; MR. HALE moved that the words "diploma or certificate of ability to practice," be struck out, and "certificate of attendance for the full course of lectures," be inserted therein.<sup>46</sup>

A considerable discussion arose upon the question.<sup>47</sup>

It was contended by the Attorney General ((MR. J. SMITH)) that such a power was not possessed by any other Medical School in existence; and the conferring of such a diploma would be equivalent to a degree in any other country; although it might not have that effect here.<sup>48</sup>



The amendment was lost.<sup>49</sup>

At the motion of Mr. Scott, the word "diploma" was struck out.<sup>50</sup>

To the next clause, which provided for the students of this College being examined before a Board of Examiners, MR. SCOTT moved in amendment that the words "if they think fit," should be added.<sup>51</sup>

The Attorney General ((MR. J. SMITH)) said, it was evident from the course pursued, that it was sought to give the power of granting diplomas to this new school, a power superior to that possessed by McGill College, which only conferred degrees on those who graduated, and merely gave certificates of attendance to other students. That House had no power to confer such power, and if they did they would endanger the passage of the Bill. He denied that he had any personal feeling on the matter, but said he was opposed to granting powers such as did not exist in the colony.<sup>52</sup>

((DR. NELSON said:)) Mr. Chairman, - I regret very much I was not present at an earlier part of the debate, either to have profited by the remarks that may have been made, if good, or to have corrected such as might have been erroneous, with regard to the subject under consideration. I have however arrived sufficiently in time to perceive that the Hon. Attorney General seems adverse to the establishing of the new School of Medicine. He appears actuated by a disposition hostile to the prayer contained in the petition asking for an Act of Incorporation. One would think that it should have been the duty, the bounden duty, of the Government to assist, promote and protect every institution which has for aim the advancement of the arts and sciences, and that of the public interest; but, instead of fostering, and tendering the hand of friendship and support to the petitioners, the administration shows itself inimical to their laudable, their highly praiseworthy efforts, to raise the character of the medical profession here, and to render that profession more accessible to all classes of the community. It would appear, said Dr. N., that the attempt on the part of the new school, to teach in the two languages spoken in this country, was a fault and a crime. Yes, sir, if I am at all well informed, the Hon. Attorney General would wish to exclude the French Language from the School of Medicine in Canada -- the language of that people who bravely fought on two different occasions, and saved this Country to the British Empire. (Hear, hear.) But, let this be as it may. I am happy to be able to state that the new School of Medicine teaches that most useful science in both languages. The lecture which is delivered to-day in English is to-morrow repeated in French; hence, the pupils have the great advantage of hearing twice over the same lesson, and in different languages. The instruction is, by this means, more deeply rooted in the memory, while, at the same time, each scholar becomes more familiar with the tongue which is not his own. Is there any harm in this, I beg leave to ask? None at all, - unless it be wished to exclude the French Canadian from a profession to which he may become an ornament.

A proof that teaching in both languages is sought after, is, that two gentlemen from the United States are now attending the lectures at this Institution, also another from the extremity of the Upper Province. These gentlemen came here because they are desirous of acquiring the French Language; and it is right to suppose that, when the course of studies pursued at this Medical School is more generally known, there will be an increased number of persons attending it from the adjoining States. Let me also remark, that upwards of forty young gentlemen of French Canadian Origin attend the lectures this year, who would not have done so had the lectures been given in English alone, they being insufficiently acquainted with that language to follow courses delivered in it. Will it be said that the method adopted by the petitioners, is not calculated to be a boon to every aspirant to the truly honourable, useful, but arduous, Medical profession. It strikes me that there is an under current at work to mar and ruin this new and most promising school, in order to favour one which has been in existence more than twenty two years, but which from one cause or another is little known, and which by no means holds out the same advantages. Yes, sir, the gentleman on the "Treasury Benches" would crush this rising, this truly Canadian undertaking to fondle and maintain another institution as a monopoly, than which none more odious and dangerous can exist, considering that the health and life of the inhabitants of this Country is, in a great measure, at stake in this matter. Let not the hon. advisers of the Crown take so warm a part in favour of one body to the manifest detriment of another - they should not thus act as partisans. Both institutions, like all others, should rest on their merits, solely and let worth and success decide the merits of both. If the new school be inferior to the old, it will soon decline and perish as it is right it should; so with the other; if it cannot compete with its rival, if it be deficient in zeal, enterprize and ability, it should, as it would deserve to, fall. Do the Ministers wish to crush a virtuous emulation, a generous rivalry? If so they are unworthy of support, and do not acquit themselves of their high offices in a useful or in a becoming manner. I can assure this honourable house in all sincerity, that I view the introduction of the petition if (sic) the Professors of McGill College with much pain. It can but have the tendency to lower my profession in the estimation of the public. It is narrow-minded, and breathes a feeling of jealousy and egotism which is anything but honourable, and which is by no means creditable to a body of Physicians who aspire to distinction. Are those learned gentlemen afraid to enter the lists with rivals? Then they are undeserving the position they now hold. From the learned Attorney General's demeanor one would be led to suppose that those gentlemen alone were fit and capable of instructing in the medical profession. I have the advantage of knowing all those professors, and, although cordially granting that they are skilful physicians, able surgeons, and good general practitioners, I emphatically deny that they possess any pre-eminence or superiority at all over those whom they look on as their rivals, and whom they would thus ungenerously put down. I challenge any one to say that those gentlemen have any merit or worth which the petitioners do not possess in an equal degree. Where, I ask, are their bold achievements in surgery, their superior success as

physicians? Where are their contributions to Medical science, their discoveries and improvements? I ask again where is their title to superiority, their claim to be the sole teachers of Medicine in Lower Canada? If you cannot show me this, then I say let others, their equals in every respect, make a trial of success. I repeat it, the petition from those professors, as a medical man, caused me much pain, and bears, by no mean (sic) a character tending to elevate our common calling in the good opinion of the public. There is a most unfortunate and undignified love for "filthy lucre" manifested in all their proceedings. These gentlemen are not content with the fine fees which they extract from the pockets of their pupils, nor with the £500 which, for several years, they have received from this hon. house; but they must need calculate the gains of the new school, meddle with the pecuniary affairs of others; and because, forsooth, those gains are indeed small in comparison with their own, they must benevolently pray that this hon. house will not grant them an act of incorporation, as if instruction can only be valued at the price it costs and not at the information imparted. This is liberality and love of science with a vengeance! From the whining tone which the old school assumes, one would think that its occupation would be at an end, were others allowed so much latitude as they themselves have. These good, kind men, would almost convey the idea that this new school would be another Pandora's box from which all manner of dire calamities and diseases would be let loose upon this unfortunate land. But whence comes it that the holy fathers of the church of all communions in this city, than whom none are more charitable and many of whom I daily meet at the bed-sides of the sick, administering in the most pious and benevolent manner, to the spiritual and often times to the physical, wants of the poor and needy; why, I ask, have not these truly excellent men petitioned against an institution which the McGill gentlemen would represent as being so pregnant with evil to the sick and the infirm? Why have not the philanthropic ladies of Montreal, so kind and charitable and who are ever anxious and zealous to contribute to the wants of the poor and the miserable, and who are always on the alert to assist and save the unfortunate, why have not these distinguished persons memorialized against the new college? Why again, I demand, has not the profession, in a body or in part, come forward to caution this hon. House against the evils it will inflict by granting the prayer of the Petitioners? Why has not all this been done? I reply, because it is obvious that neither the Rev. Clergy, nor the benevolent ladies, nor the learned Doctors, have seen reason to take alarm. Nay, sir, I am satisfied that every thinking and liberal person, and those who wish the advancement of medical science and the welfare of society are gratified to find that a new sphere will be given to aspirants for public favor, and public utility. I have seen many of my bretheren (sic) from the country who, to a man, are well pleased at the establishment of this school, which the McGill gentlemen would pull down merely because it may interfere with their personal interests & aggrandizement; at least it is reasonable to come to this conclusion in the absence of all other upright motives,



it is possible for them to advance or we to discover. There is however one of their reasons I must again refer to, which is, that the new Professors will not be sufficiently remunerated for their time and labour. Good, easy gentlemen as they are! they seem to lose right (sic) of an indemnity which is far better than gold or silver; the "luxury of doing good!" and advancing a profession to which the new lecturers are ardently attached. Besides, if you must look to lucre alone, even here, with all their low charges to students, will these gentlemen still be remunerated, as they give proof of ability, as they become useful they will acquire a name, perhaps fame, and this will lead to increase of practice. Thus, even in the money line, to which certain others are apparently so much attached, will they be the gainers. I contend that it would be eminently unjust, and unwise to yield to the request of the McGill Petitioners. Competition, it is truly said, is the life of trade, so even is it with all the art and science men that have all their own way, that fear no opposition, naturally and insensibly glide into an apathetic and listless course; having none to fear, they run on till they become very drones and loose all incentive to action and honorable exertion. It has been stated by the McGill gentlemen that to grant the request of the petitioners will have the effect to undervalue the science - that is, I presume, to make it too easily come-at-able, and the worst of all, they plainly intimate they will lose in the number of their attendants; now, sir, to calm their fears I will allude to what has lately occurred in New York, if it be not high-treason to speak of what passes in the United States. Three years ago the celebrated Mott with five or six other able physicians formed a medical school in that great city. The first year they had upwards of 240 young gentlemen attended their lectures, and the old school, which for years hardly ever numbered over 80 followers, had at that very same time an increase of nearly 50. The reason of (sic) this is quite clear. When there is but one establishment, people are naturally inclined to think that there will either be an overflowing of attendants, or a deficiency in zeal or attention on the part of the teachers. And at this day New York is looked upon as the first medical school in the whole Union, rivaling Philadelphia, which, for a very long time, seemed to have monopolized all the medical students, and why deprive this thriving city of similar advantages. Two good medical schools will give it importance, and draw many more students to Montreal. My learned and hon. friend and brother from Huron, has with his usual ability and knowledge, given his opinion as most favorable to the new school. He has told you and that equally correctly, that the unrivalled reputation of Edinburgh as a medical school, is due to the great number of institutions there, both public and private. But the really learned men of the celebrated Scottish metropolis are not afraid of measuring themselves with their neighbours. We hear no hue and cry from them, no calling upon government for help in their imagined distress. I expect that not a little discomfort will the McGill school suffer when it hears that the faculty of Quebec are about to make, rather have made a request which, I hesitate not to state, should be at once granted, not only for the extensive country of which it is the centre, but because of the talents and science of the highly respectable physicians



there. The two first surgeons now in Canada are there, and the whole body of the profession can vie with any other, yes, even with those of this city, as useful and distinguished practitioners - men, whose demeanor towards each other and towards their brethren generally, is distinguished by the urbanity of gentlemen and the frankness of men of science; whose conduct, as medical examiners has earned for them the esteem and respect of all who know them. I shall anticipate the reasons that may be urged for my advocacy of the new school. It will be said, it is because my son is one of the professors, and that he is very young. His pecuniary interest as well as mine, he being my partner, suffers greatly in consequence. He is enthusiastically fond of anatomy, and devotes so much time to it, that he is comparatively little assistance to me; our practice consequently suffers much; yet I would not dissuade him from it; and let me be allowed to state that many of his anatomical preparations and casts would not discredit the first anatomical museum in Europe. As certain personages suppose that nothing good can exist but what comes from over the water; let me inform such that two or three of the Professors have European educations, - all of whom, I hesitate not to say, are men of superior information, talent and zeal, quite equal to those that would thus unceremoniously and civilly set themselves above them! I shall be accused, and perhaps with too much reason, of being deficient in "the better part of valour, prudence," when I enter the arena against two such formidable antagonists as her Majesty's Attorney General East, and Solicitor General West. But even at the hazard of being thus accused I defy those learned gentlemen to maintain certain positions which they have assumed on this occasion. The Attorney General tells us that this honourable House, the Legislature of Canada, has not the power to grant charters or acts of incorporation: that they must emanate from the crown. I boldly deny this assertion. We have the power and not to possess it would be little better than to make us a nullity. But he has the kindness to say that the petitioners may be permitted to have pupils, but are not to be incorporated, and I tell him in return that I trust the Professors will not so far demean themselves as to make an application for a right which (sic) they already possess, in common with all medical practitioners, and which I and many others have exercised for more than thirty years, and of which he cannot dispossess us. But I shall leave this learned gentleman to be dealt with by some of my hon. friends behind me. As for the Solicitor General he totally misapprehends the subject, and particularly with regard to the examinations. He pretends that to grant to the pupils of the new school an exemption from a public examination by the Medical Board, or by any other examiners, would be to give an undue advantage to this school over that of McGill. Now, the fact is that the McGill Professors examine their pupils in private, and give them a diploma or certificates if satisfied with the candidate; this diploma is presented to the Medical Board, which thereon gives its certificate that the bearer is fit and qualified to receive a license, according to law, to practice. Therefore it is evident that these students are not subjected to a public examination. The very same must obtain with regard to the others - they also are examined by their Professors in the College, not in public, and

if found qualified, receive also their certificate, which is presented to the Medical Board as in the first case. What then is the advantage which the latter will enjoy over the former? None whatever. All that is asked for is to put the two Institutions on a par; no privileges should one possess of which the other is deprived; but, as stated before, there is a manifest disposition to favour and uphold the McGill school, while it is but too palpable that there is a settled plan to trample on the other. Will this hon'ble House join in the nefarious proceeding? I hope for its honour, and the good of those we represent, that it will not make a party question of a subject purely scientific, and one that is so well adapted to confer equal honour and benefit to the country. A great deal more might be said on this matter, but I shall not further occupy the House which, I am proud to see, takes the same view of the case as I do; but it is possible I may revert to this subject when the hon. Attorney General brings up his bill to regulate the practice of medicine in Canada, and to set us all right in the sick way! Before I sit down I cannot but tender my hearty thanks, and I may safely say those of the whole profession, save of the old school, to my hon'ble friend the member for the Lake of Two Mountains, for the deep interest he had taken in this matter, and for the ability and perseverance he has displayed throughout.<sup>53</sup>

MR. MOFFATT said, that the fact of having seconded the motion made by the hon. Commissioner of Crown Lands upon a previous evening, to restore the French Language to the proceedings of the House was a sufficient answer to the attack made upon him. I can only say, Sir, that I should be sorry to attempt to promote the interests and happiness of this Colony, by following the example set by the member for Richelieu. - (Cheers).<sup>54</sup>

M. le solliciteur général ((H.)) SHERWOOD ... ((a dit)) que M. Smith ne prétendait pas nier au parlement le pouvoir de passer le bill, mais qu'il avait voulu simplement dire que le bill serait réservé à la sanction royale.<sup>55</sup>

M. ROBLIN le combattit la loi à la main<sup>56</sup>.

((M. CAUCHON)) le jeune membre pour Montmorency complimenta notre procureur-général sur son savoir légal et sur ses connaissances constitutionnelles dont il nous avait déjà donné une si grande preuve en prétendant que la constitution anglaise était écrite, sans compter les autres innombrables occasions où il s'est montré parfaitement ignorant, non seulement des formes et procédés parlementaires, mais des principes de la politique constitutionnelle.<sup>57</sup>

(295)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Hall reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report*

to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Small Debts  
Court.

The Order of the Day for the House in Committee on the Bill to amend an Act, passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor," being read,

Ordered, That the said Order of the Day be postponed until to-morrow.

Taxes on  
Lands, Upper  
Canada.

The Order of the Day for the House in Committee on the Bill to remove all doubts to the liability of certain Lands in Upper Canada to be charged with local taxes, being read,

The House accordingly resolved itself into the said Committee.

Mr. Méthot took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Méthot reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Thursday next.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Macdonald, of Cornwall, seconded by Mr. Macdonell, of Dundas,

The House adjourned.

APPENDIX, 24 FEBRUARY 1845.

((WITHDRAWN BILL RE: REQUIRING ALL CORPORATIONS TO SUBMIT STATEMENTS BEFORE THE LEGISLATURE.))<sup>58</sup>

MR. MOFFATT moved the second reading of the Bill to compell (sic) all Corporations to lay annual statements before the Legislature.<sup>59</sup>

MR. AYLWIN was sorry to be obliged to oppose the principle of the Bill. He admitted that the Legislature when granting an Act of Incorporation, had a perfect right to impose whatever restrictions it pleased. But that charter once granted it had no more right to call upon a Corporation for a statement of its affairs than it had to pry into those of a private individual. If the object of this Bill was to compel every Corporation, no matter of what description, or when constituted, whether under the law of France or since the cession of the Province, to lay before that House a statement of its affairs, he would oppose it.<sup>60</sup>

MR. MOFFATT said a statement of the Real Estate it held was alone required.<sup>61</sup>

MR. AYLWIN resumed: If such was its intention, it would not be granted by that House, unless good reasons were given for such a measure. There were certain cases, such as the Canada Land Company of Upper Canada, and the British North American Land Company of Lower Canada, in which he saw no difficulty in calling upon them to give in an annual statement of their real estate. There was also another Company under the patronage of the member for Montreal ((Mr. Moffatt)), which he hoped would never go into operation in this Colony, he meant the North American Colonial Association of Ireland, a Company formed for the purpose of making loans upon Real Estate; it would be necessary to impose such a restriction upon that Company, when it came before that House to ask for corporation powers. From reading the Bill before the House, he was convinced that its operation would apply to all the Ecclesiastical and semi-Ecclesiastical institutions in the Colony, and therefore he could not admit the principle it laid down. Under this Bill the Religious Societies, Convents, and Schools of Quebec, which held real estate, would be compelled to make annual statements, which would be exactly the same from year to year, because their property is unalienable, as is also the case with many other institutions of a similar character in the Lower Province; and such statements repeated annually could not enlighten the House or the country. It was, therefore, that he supposed that beyond this statement of real estate there was required an account of the revenue arising therefrom. Among the semi-Ecclesiastical institutions, there were the Fabriques, founded under the common law of France, in every village, and what good could be derived from a yearly return of their property, pew rents, and other revenue. He looked upon the measure as an inquisitorial one, and considered that the Legislature had no right to take the liberty of drawing the curtain, and peeping into people's private affairs. He begged that House to remember that a Charter was not a law which could be altered and amended from time to time, but it was a solemn compact between two parties, one of which demanded certain privileges, and in return agreed to perform certain stipulations. Such a



compact once made, the Legislature had no right at a future period, under any plea of expediency, to attempt to force upon the holders any new provision. The bargain was made, and the conditions accepted, and the right became at once the same as a patent, which not only the Legislature, but the King himself could not alter. It is in vain that grounds of expediency be urged before a Court of Justice for the repeal or alteration of a Charter, it will refuse to interfere; such has been the course both in England and in the United States. That House had just as great a right to look into the iron chest of the merchant, and pry into his accounts in order to learn that he was not engaged in any financial scheme which might operate injuriously to the interests of the country, as to meddle with the affairs of Corporations, the terms of whose Charters did not admit that right. He viewed the principle of the Bill with alarm; something extraordinary in the affairs of the country could alone justify the interference of the Legislature in such a manner, and that extraordinary something did not exist. If the scope and object of the Bill had been explicitly explained, or if there had been anything in the preamble from which he could have learned that it did not apply retrospectively, he might have come prepared to support it, but as it stood he felt bound to oppose it. If the measure were confined to Corporations to be created in future, he would not object to it.<sup>62</sup>

M. MOFFATT expliqua qu'il n'avait été mû que par de bons motifs.<sup>63</sup> In consequence of the number of Corporations chartered year after year, with power to hold lands to a great extent, it appeared to him that it was absolutely necessary that there should be a legislative enactment to enable that House from time to time to ascertain the amount of land so held. A clause compelling these corporations to make annual returns had been inserted into many of the charters, but in order to avoid this useless repetition, proposed to bring in the Bill to render it compulsory upon all corporations to do so. He had no desire to pry into their affairs beyond the amount of their lands and the revenue derived therefrom. He could not help thinking that the subject was one of sufficient importance to merit the consideration of the Legislature.<sup>64</sup>

MR. MURNEY said, that he was a member of the Committee upon private Bills, and the member for Bellechasse had strenuously insisted upon the introduction of the clause compelling the annual statement into every Act of Incorporation, until notice of this measure was given, after which it was omitted, with the idea that the Legislature would not hesitate to pass this Act. The consequence was that there were now some charters before the House wanting this clause. The member for the First Riding of York had also been upon that committee, and would bear him out in this. He considered this enactment absolutely necessary.<sup>65</sup>

M. BERTHELOT était très surpris que l'honorable membre pour Montréal eût introduit une pareille mesure. Il pensait qu'on avait autant de droit d'exiger de M. Moffatt ou de tout autre individu de soumettre à la législature un état de leurs affaires privées qu'on en avait de fouiller dans celles des corporations en question. Que le bill était une insulte pour

les affaires de la couronne, car, suivant Blackstone même, la couronne avait le pouvoir de s'enquérir en tout temps des corporations si elles avaient rempli les conditions de leurs chartes. Il aurait bien aimé à savoir (sic) quelles étaient les raisons qui avaient porté l'honorable membre à présenter un pareil bill; il ne pouvait en concevoir d'autre que la curiosité. Il votait contre la mesure comme étant pour le moins indiscrete.<sup>66</sup>

M. LAFONTAINE appuya l'opinion de M. Aylwin et fit ( ... en français) un long ... discours sur le sujet .... Il regarda le bill comme empiétant sur la prérogative de la couronne. Il n'était pas de ceux qui pensent que le parlement n'a pas le droit d'exercer son contrôle sur l'exercice de la prérogative, mais il soutenait que la nécessité pour induire le parlement à recourir à son omnipotence n'existait pas, et qu'ainsi le bill serait un empiètement sur la prérogative qui, tant que cette nécessité n'existait pas pour la diriger dans une nouvelle voie, devait être laissée à son cours naturel. Les institutions incorporées sont soumises déjà à l'action de la prérogative de la couronne qui peut toujours les contraindre à lui donner un état de leurs biens-fonds. Que c'est donc à la couronne qu'il faut s'adresser pour avoir les renseignements, quand cela serait nécessaire, au lieu de les soumettre à l'obligation de faire des rapports périodiques directement à la législature. M. LaFontaine ne s'était pas opposé au principe là où il pourrait s'appliquer sans déroger aux droits acquis des parties, ou lorsque cela serait indispensable pour le bien public, mais qu'on n'avait aucun droit dans les circonstances d'intervenir par exemple dans les communautés religieuses et dans les fabriques où le bill était de nature à porter la perturbation sans le moindre avantage pour la société politique. Le bill serait injuste parce qu'il imposerait de nouvelles charges aux corporations qui ne les auraient peut-être pas acceptées au nombre des obligations auxquelles elles s'étaient soumises volontairement comme conditions du pacte en vertu duquel elles existaient; que ces nouvelles charges, il aurait fallu les leur imposer dès le commencement et non après coup, ce qui était contraire à tous les principes de saine législation. Nous avons beaucoup d'institutions dont l'origine remontait au delà de la session, aussi bien que d'autres instituées depuis cette époque. Comment pouvait-on dire que ces dernières eussent accepté des conditions qui ne leur furent pas proposées au temps de leur incorporation? et ce qui était vrai de ces dernières l'était également à l'égard des premières. M. La Fontaine cita en particulier, comme exemple, le séminaire de Montréal. Il dit que cette maison existait en vertu d'un contrat auquel avait été partie la couronne de France, et que ce pacte était assurément regardé comme sacré, tellement que malgré les tentatives qui avaient été faites pour y porter atteinte, de la part de personnes ou de parties dans la province, ou ailleurs, leurs prétentions avaient été repoussées par la couronne d'Angleterre, qui ajouta son sceau au pacte. Le bill aurait donc l'effet d'affecter ce pacte, et d'imposer des charges et des conditions que l'on ne peut pas dire que le séminaire eût acceptées comme condition de son existence. Ainsi M. La Fontaine s'opposait au bill parce qu'il empiétait sur la prérogative royale et parce qu'il était injuste et contraire aux principes d'une saine législation. Cependant il y consentirait si on voulait

l'amender et ne l'appliquer qu'aux corporations futures.<sup>67</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH fully concurred in the law as laid down by the hon. members for Terrebonne and Quebec. Franchises created by the Crown were beyond the control of ordinary legislation, and could not be called upon to perform any service which they had not covenanted to do at the time of Incorporation. The Crown had a right to call upon them for information of the state of their affairs; but whether it had a right to obtain that information by legislation was a question there was no need to go into at that time; for he considered that there was no sufficient cause existing for such legislation. He therefore could not support an enactment which went to compel these Corporations to do that which in their Charter they did not covenant to do.<sup>68</sup>

MR. LAURIN moved that the Bill be read a second time that day six months.<sup>69</sup>

MR. ROBINSON suggested that the Bill should be allowed to be altered so as not to have a retrospective operation.<sup>70</sup>

MR. GOWAN said, it was not courteous to throw out the Bill. As it was admitted that such a measure was needful, he hoped that the member for Montreal would be allowed to withdraw it, and make the necessary amendment which could be done by altering a very few words.<sup>71</sup>

MR. ((J.S.)) MACDONALD, Glengary (sic), thought the Bill had gone a little too far, but that it was a necessary measure if amended so as to apply only to future Charters. He was not prepared to go the figure of rejecting the Bill altogether.<sup>72</sup>

MR. MOFFATT said, that when a Bill came up for second reading, if that House did not concur in the principle, it had a perfect right to reject it, and no member had a right to complain of such a course not being courteous, when it was strictly in accordance with Parliamentary practice. It did not occur to him when he brought forward this measure that it was an interference with the prerogative of the Crown, or he would have been the last man in that House to have done so. The Crown had the right to demand this statement from Corporations, and that House had the power to ask the Crown to lay that statement before it, then where was the difference between that, and legislating upon the subject?<sup>73</sup>

MR. LAFONTAINE. - The one is a compulsory statement, the other optional at the pleasure of the Crown, and moreover the Crown may refuse to lay the statement before this House, if it does not deem it expedient so to do.<sup>74</sup>

MR. MOFFATT resumed: with all deference to the opinions which had been given, he could not see good grounds for objection. If the demand were for a general statement of affairs it would be a different matter, but it

was merely for a statement of the quantity of the lands held, and the revenue derived therefrom. He trusted that all Acts of Incorporation granted in future would contain this clause. There were, however, two cases of Acts granted this Session in which the parties had been placed upon a different footing. The Acts of Incorporation of the High School of Montreal contained the clause; but the Bill to extend the powers of the Communauté de Notre Dame de Montreal, which gave them power to hold land to the amount of £5000 per annum did not contain that clause, because it was understood at the time, that he Mr. M., was about to introduce this Bill. The Bill had not been drawn by himself and perhaps went a little farther than he had intended it to do, and if it was the pleasure of that House, he would withdraw it. The member for Terrebonne considered that this Bill would not apply to the Church Society, but he considered that it would be brought under the law in the same manner as all others.<sup>75</sup>

MR. PRICE said, that Bills had passed that House without this clause, in consequence of its being the intention of the member for Montreal to introduce this Bill. But he objected to the Bill if it would have the effect of compelling Corporations who did not covenant to do so, to make annual statements of their affairs to that House. It would be no easy task under any circumstances to obtain these returns. Hon. gentlemen had seen the difficulty which he had to obtain the return of the extravagances of King's College, which had been now applied for nearly three months. He considered that there was a necessity for a Bill of this kind, but not to go so far as this did to prevent every one coming to that House for Charters.<sup>76</sup>

The Motion and Bill were withdrawn ((by MR. MOFFATT)).<sup>77</sup>



FOOTNOTES - 24 FEBRUARY 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 27 February 1845, BRITISH WHIG, 28 February 1845, and KINGSTON NEWS, 27 February 1845, both copying from MONTREAL TRANSCRIPT, in identical accounts, except that the NEWS omitted certain speakers; LE CANADIEN, 5 March 1845; and the BRITISH COLONIST, 4 March 1845.
2. MONTREAL GAZETTE, 27 February 1845.
3. IBID.
4. BRITISH COLONIST, 4 March 1845.
5. MONTREAL GAZETTE, 27 February 1845.
6. BRITISH COLONIST, 4 March 1845.
7. MONTREAL GAZETTE, 27 February 1845.
8. BRITISH COLONIST, 4 March 1845.
9. IBID.
10. MONTREAL GAZETTE, 27 February 1845.
11. BRITISH COLONIST, 4 March 1845.
12. The debate on this matter was reported by: MONTREAL GAZETTE, 27 February 1845; BRITISH COLONIST, 4 March 1845; LE CANADIEN, 5 March 1845; and BRITISH WHIG, 28 February 1845, copied from MONTREAL TRANSCRIPT.
13. MONTREAL GAZETTE, 27 February 1845.
14. BRITISH COLONIST, 4 March 1845.
15. MONTREAL GAZETTE, 27 February 1845. The BRITISH COLONIST, 4 March 1845, reported Aylwin as having referred to "discussions that had taken place between the Montreal and Quebec judges...."
16. MONTREAL GAZETTE, 27 February 1845.
17. BRITISH COLONIST, 4 March 1845.
18. MONTREAL GAZETTE, 27 February 1845.
19. BRITISH COLONIST, 4 March 1845.
20. MONTREAL GAZETTE, 27 February 1845.
21. BRITISH COLONIST, 4 March 1845.
22. MONTREAL GAZETTE, 27 February 1845.
23. BRITISH COLONIST, 4 March 1845.
24. MONTREAL GAZETTE, 27 February 1845.
25. BRITISH COLONIST, 4 March 1845.
26. MONTREAL GAZETTE, 27 February 1845.
27. BRITISH COLONIST, 4 March 1845.
28. IBID.
29. IBID.
30. MONTREAL GAZETTE, 27 February 1845.
31. BRITISH COLONIST, 4 March 1845.
32. MONTREAL GAZETTE, 27 February 1845.
33. IBID.
34. The debate on this matter was reported by: MONTREAL GAZETTE, 27 February 1845; PILOT, 26 February, 6 March 1845; LE JOURNAL DE QUEBEC, 1 March 1845; LA MINERVE, 27 February 1845, which felt that its readers would understand the following debate better if they were familiar with the Bill's preamble, which was: "Attendu que Francis C.T. Arnoldi, Francis Badgley,

Pierre Munro, William Sutherland, Horace Nelson, tous de la cité de Montréal, licenciés pour pratiquer la médecine et la chirurgie (sic), et divers autres étudiants, ont représenté par leur pétition à la législature, que les personnes ci-dessus nommées ont, pendant les deux dernières années, été occupées à donner des lectures publiques et des instructions sur les diverses branches de la science qui se rattache à l'exercice de leur profession; et qu'ils ont dans ce but établi une école publique de médecine, avec un appareil convenable et commode, et ont commencé à établir une bibliothèque et un cabinet d'anatomie, qu'ils sont prêts à approprier pour les fins ci-après mentionnés, ils seraient plus en état d'augmenter leurs moyens d'offrir à leurs élèves une bonne instruction, et qu'ils pourraient mettre à leur portée les moyens d'acquérir les connaissances médicales qui les dispenseraient de passer une partie de leurs études hors de la province, et fréquemment hors des possessions de Sa Majesté, comme plusieurs sont maintenant obligés de le faire à de grands frais qu'ils supportent difficilement, et à leur grand désavantage sous d'autres rapports; et vu qu'il est expédient d'accéder à la demande des pétitionnaires: - A CES CAUSES, qu'il soit statué, etc." LA REVUE CANADIENNE, 1 March 1845, also contained a commentary on the debate.

35. MONTREAL GAZETTE, 27 February 1845.

36. IBID.

37. LA MINERVE, 27 February 1845.

38. MONTREAL GAZETTE, 27 February 1845.

39. IBID.

40. IBID.

41. IBID.

42. IBID.

43. IBID.

44. IBID.

45. IBID.

46. IBID.

47. IBID.

48. IBID.

49. IBID.

50. IBID.

51. IBID.

52. IBID.

53. PILOT, 6 March 1845.

54. MONTREAL GAZETTE, 27 February 1845.

55. LA MINERVE, 27 February 1845.

56. IBID. The PILOT, 26 February 1845, explained that Roblin had a copy of the relevant Statutes in hand.

57. LA MINERVE, 27 February 1845.

58. The debate on this matter was reported by: MONTREAL GAZETTE, 27 February 1845; LE JOURNAL DE QUEBEC, 8 March 1845; and LE CANADIEN, 5 March 1845, whose report was copied from LA MINERVE, 27 February 1845.

59. MONTREAL GAZETTE, 27 February 1845.

60. IBID.

61. IBID.

62. IBID.
63. LA MINERVE, 27 February 1845.
64. MONTREAL GAZETTE, 27 February 1845.
65. IBID.
66. LA MINERVE, 27 February 1845.
67. IBID.
68. MONTREAL GAZETTE, 27 February 1845.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. IBID.

TUESDAY, 25 FEBRUARY 1845.

(295)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. LeMoine, the Petition of Mrs. Mary Allen, widow of the late Corporal James Allen, of the Sherrington Loyal Volunteers, county of Huntingdon.

By Mr. Drummond, the Petition of O. Trudel, Esquire, and others, of the seigniorie of Batiscan; and the Petition of Edward Hale, Esquire, and others, of the county of Portneuf.

By the Honourable Mr. DeBleury, the Petition of Joseph Smith, M.D., and others, of the county of Yamaska.

By Mr. Dunlop, the Petition of Christopher Crab, Chairman on behalf of a public meeting of the district of Huron; and the Petition of Peter Fleming, of Montreal, Civil Engineer.

By the Honourable Mr. Papineau, the Petition of the Reverend John Johnston and others, members of the Church of England in the mission of Hull.

By Mr. Chabot, the Petition of Jean Langevin, Esquire, of the city of Montreal.

COL. PRINCE<sup>1</sup> rose to make a motion, which he had no doubt would be accepted by both sides of the House with great favour.<sup>2</sup>

(295)

The Elevation  
of His Excel-  
lency, the  
Governor Gen-  
eral, to the  
Peerage.

Mr. Prince moved, seconded by Mr. Roblin, that it be resolved that an humble Address be presented to His Excellency, the Governor General, expressive of the satisfaction of this House, in having an opportunity, before the end of the present Session, of congratulating His Excellency on his elevation to the Peerage of the United Kingdom of Great Britain and Ireland; and to express their gratitude to their august Sovereign for thus rewarding His Excellency's distinguished merit.

COL. PRINCE ((said)) he had...been taking a comfortable glass with his hon. friend the member for Carleton (Jemmy Johnston) and he had just said - "Let us pass an address to Lord Metcalfe to congratulate him on his elevation to the peerage." And this said the hon. and gallant Col. was the origin of ... this ((motion)).<sup>3</sup> He was quite sure, that all who had the pleasure of knowing the character of the Governor-General in private life, would be gratified by this mark of Her Majesty's favour, which



had been offered him, of her high approval of his public character and private worth. He hoped he should meet with the full assent of the House; and, that setting aside all form - if any gentleman should think his motion informal - they would recollect the old adage, "qui cito dat, bis dat," and agree at once to pay the compliment which was so justly due to the illustrious individual at the head of the Government. He hoped the House would pass the motion without any forms. If he were asked what precedents existed for such a course? he would reply, that he had precedents ready, if they were called for; but he hoped they would not be, because it might imply a holding back, on the part of those who might demand them, from paying their meed of praise to the Governor-General.<sup>4</sup>

MR. CHRISTIE said, he held an Address in his hand, which was precisely similar in effect to that of the Hon. Member for Essex. Both his Hon. friend and himself were men who had determined never to seek, and never even to accept, anything from Government; but, notwithstanding, they both concurred in the justice of this tribute to the distinguished individual alluded to in the motion, whom he was always ready and happy to believe to be an up-right and honorable man, he hoped that no objection would be made to the motion.<sup>5</sup>

(296)

*Mr. Christie moved, in amendment, seconded by Mr. Thompson, that all the words after "that," in the first line of the said motion, be struck out, and the following substituted, "an Address of congratulation be presented by this House to His Excellency, the Governor General, upon his recent elevation to the Peerage of the United Kingdom, expressive of the satisfaction which this House feel, at the distinguished honour it has pleased Her Most Gracious Majesty to confer upon him, and to which his long and eminent services so justly entitle His Excellency."*

*Debates arose.*

MR. AT. GEN. SMITH (East) said, that it gave him the highest satisfaction to hear the remarks which had fallen from the two Hon. gentlemen who had just sat down. He believed the proper course in these cases of congratulatory Addresses, was the one taken - that they should come from some independent member.<sup>6</sup>

MR. DRUMMOND begged to say that he did not understand the allusion to independent Members; he trusted for himself, that he was as independent as any Member of the House, both of the opposition and the ministry. But yet he could not concur in this motion. Had Lord Metcalfe been elevated to the Peerage for his services in other countries, he would have been the first to concur in a motion of this kind; but, as he believed this advancement had a tendency at this moment to stigmatize the advocates of certain principles, and to elevate those who belong to the party, of which this eminent individual had been for some months at the head, and as he believed it to be a public acknowledgement of services rendered to the colony by him, he (Mr. Drummond) felt that he could not vote for the

motion without abandoning every principle which he had professed. If he stood alone he would vote against it.<sup>7</sup>

MR. PRICE and MR. LAFONTAINE opposed the motion.<sup>8</sup>

MR. DEBLEURY, in allusion to a remark by an hon. member, would call the present distinguished Governor General a second Prevost to this country; for he had shewn himself a true friend to it. He, too, had arrived at a moment of difficulty, and he (Mr. DeBleury,) was fully of opinion that the honour now conferred upon him, was granted not only for his virtues, but also for his public conduct since his arrival here. If he had not the conviction, he would not feel the pleasure which he experienced, at his elevation. He had arrived here at a time, when the country was suffering under the Anti-English conduct which was pursued - the conduct which had been put into practice after the troubles of '37 and '38, when men were placed at the head of affairs who ought to have been confined in the dungeons of the Province to answer for their crimes. He (Mr. DeBleury,) was a Canadian, he felt all the sentiments of a Canadian, and was attached to all those principles which loyal Canadians ought to love; that made him sorry to have to allude to these events, but he could not help speaking of the conduct of the Colonial Government, which had called to the head of its Councils men who had deceived and duped the people, and who had then run away and left them. It was not the loyal Canadians who were called forward for promotion, or even to give their advice, it was the men who had caused all the difficulties of the Province, and who, after all, instead of being grateful for their pardon, and not only ((for)) their ... pardon, but for oblivion of their crimes - instead of being grateful - did all they could to disturb the peace again. There was, however, a man at the head of affairs, who regarded too well his duties to his Sovereign to desist in that perilous moment from his endeavours for the restoration of order. He was at that time the victim of persecution; and if the Government had been without a regular Council, he would ask whose fault it was?<sup>9</sup>

MR. BERTHELOT would not vote for the motion, because of the manner in which the late elections had been carried; and because he believed that it would be the same thing to make a eulogium on his Excellency, as to make one on his Ministers.<sup>10</sup>

MR. CHRISTIE thought a great part of the difficulty would be avoided by leaving out the word grateful; he therefore moved, that all after the word "that" should be struck out of the motion, "and the following words inserted:- An Address be presented to his Excellency, expressive of the satisfaction felt by the House, at the distinguished honor which it has pleased Her Majesty to confer upon him, and which his services so justly merit."<sup>11</sup>

MR. MOFFATT said that he was not in the House when the original motion had been made, and no notice having been given of it, he was not aware

that it would have been made, but he rejoiced that he had arrived in his place in time to record his vote in favour of the original motion. He would not quarrel with the introduction of the word gratitude, for he did feel grateful to the Sovereign that she had in so signal a manner acknowledged the distinguished services of the nobleman at the head of affairs; and it was impossible that his conduct in this colony could subtract from the value of those services.<sup>12</sup>

Prolonged cheering, and ironical cheers from the Opposition.<sup>13</sup>

Loud cries of hear hear, from MR. AYLWIN.<sup>14</sup>

((MR. MOFFATT)) If it would give that hon. gentleman any gratification, he could repeat it. He said it would be impossible to subtract from the life of this distinguished individual the eminent services which he had rendered to this Colony.<sup>15</sup>

Prolonged cheering, and ironical cheers from the Opposition.<sup>16</sup>

((MR. MOFFATT continued:)) There was no portion of the public life of that illustrious individual that was more deserving of the approbation of the Sovereign than his conduct in this Colony.<sup>17</sup>

Cheers and disapprobation from the Opposition.<sup>18</sup>

((MR. MOFFATT resumed:)) Reference had made to what had occurred during the change of administration; when the vote was taken upon the address at the opening of the Session, he had taken the opportunity to record his vote, and his approbation of the position taken by His Excellency on that occasion; and if he had been in the House of Assembly when the dispute had occurred between His Excellency and His Ministers, he would have been found voting with the minority. (Cheers.)<sup>19</sup>

No doubt from MR. DRUMMOND.<sup>20</sup>

((MR. MOFFATT resumed:)) He would support this Address on the grounds of the value of the services of the Governor General in this Colony; and it was his earnest prayer that he might be spared for many years to enjoy the honor conferred upon him, and he was convinced that if he was so spared<sup>21</sup>, he would so conduct the Administration of affairs, as to obtain the approbation even of the gentlemen on the other side of the House -<sup>22</sup>

((Members of the opposition:)) No, no.<sup>23</sup>

((MR. MOFFATT continued:)) It could not be his fault if he did not,

at any rate. On what was this conviction founded? It was founded on the justice and firmness of character which distinguished him. He (Mr. Moffatt) believed that he was no more capable of favoring any one party, to the detriment of the public service, than he was of doing any thing else for which any member of that House could censure him.<sup>24</sup> OR He was no more capable of favoring any party to the detriment of the colony, than any member of that House was of a disreputable act.<sup>25</sup>

Cheers, and cries of hear, hear, from MR. AYLWIN.<sup>26</sup>

((MR. MOFFATT:)) If the gentlemen opposite would only lend him their support in the management of the affairs of the country, he (Mr. Moffatt) had no doubt, that he would place them on a basis which would be satisfactory to both parties, because he believed him quite incapable of doing any thing adverse to the interests of the country. Whatever gentlemen on the other side might think then, he had no doubt they would come round some day to approve of his views-<sup>27</sup>

Never, never, from MESSRS. AYLWIN, DRUMMOND, and LAFONTAINE.<sup>28</sup>

MR. JOHNSTON said, that he had expected that the vote upon this occasion would have been an unanimous one - that it would have been met in the same manner as the motion for the introduction of the French language into the Journals, had been treated by Members on this side of the House - by an unanimous vote. Such a proceeding would only have been shewing a proper respect to the nobleman at the head of affairs. That nobleman was spending his days in misery in this country, in comparison to what he might do at home, and it was only a spirit of disappointment which could raise objections to such a vote.<sup>29</sup>

MR. AYLWIN. - He did not object to Her Majesty conferring honours upon those whom she thought deserving of them, but when the sanction of the representatives of the people was called for to the appointment of an individual to the Peerage, for the influence he has exercised upon the public affairs of this Province, he felt himself called upon, fearlessly, as he always did, to express his opinion upon the merits of that appointment. He did not congratulate that individual upon his elevation, he could not congratulate him. He was sorry that Her Majesty had conferred this honour upon him, for during the period he had held the reins of government, no one had ever done such irreparable wrong to this colony.<sup>30</sup>

Ironical cheers from the Ministerial Benches.<sup>31</sup>

((MR. AYLWIN resumed:)) Hon. gentlemen might cry "hear! hear!" the echo of those cheers would go far beyond that House, corresponding cries had been heard in the Legislature of New Brunswick and Nova Scotia. So far from being disposed to congratulate the Governor General upon his elevation to the high rank of a Peer of England, he pitied and he pardoned



him, but in regard to his character, and that of the illustrious body among whom that individual was about to take his seat, he could not congratulate him or them upon this elevation.<sup>32</sup>

Ironical cheers from the Ministerial Benches.<sup>33</sup>

((MR. AYLWIN resumed:)) If he was told of the exploits performed by that individual in the East and West Indies, of which he knew nothing, he would say that they might have entitled him to this distinction; but here he could speak with certainty, and say, so far from deserving the Royal favour, he merited the reverse; so far from deserving to be raised to the Peerage, he ought to be taken home ignominiously, there to have stood his trial for high crimes and misdemeanors.<sup>34</sup>

COLONEL PRINCE rose to order. The language applied by the Member for Quebec to the Governor-General, was unparliamentary, and directly contrary to a rule of that House, setting forth that the Representative of the Sovereign should not be spoken of disrespectfully.<sup>35</sup>

The Speaker ((SIR ALLAN MACNAB)) said the Member for Quebec was out of order in alluding, in the manner he did, to the Governor-General. (Cheers!)<sup>36</sup>

MR. AYLWIN resumed - He knew what language to use when speaking of the Representative of the Sovereign under ordinary circumstances; but when Hon. gentlemen came before that House with a vote of approbation of his conduct, those who believed that so far from being entitled to the high honours conferred upon him, he was deserving of punishment, had a right to declare it.<sup>37</sup>

Hear! from MR. DRUMMOND.<sup>38</sup>

((MR. AYLWIN resumed:)) I appeal to the Members of this House, and, above all, to you Mr. Speaker whether, under any circumstances, I have made the conduct of the Baronet at the head of Affairs, this new lord, the last of the Lords, the subject of reproach; I make this appeal fearlessly, strongly as I have felt his conduct, and strongly as I have expressed myself upon it out of doors, and as I shall continue to do. Well may this novus homo, this last of the Lords say, "Save me from my friends," for he who introduced this motion was the cause of the expression of the honest opinion of at least one Member of that House. The Member for Carlton (sic) desired this vote to be an unanimous one; let others vote for it, if they pleased, it would be the proudest moment of his life to record his vote against it, and if he could find one to second him, he would call for the Ayes and Nays upon it. This was not the first peerage that the people of this Province had seen conferred, they had seen Knighthood too, and they had learned to judge of the merits of such distinctions. In order to reward the feats of military prowess of Sir John Colborne against a very might enemy, in consequence of his great intelligence

and powers of mind as a warrior, he had a Peerage conferred upon him, and is now Lord Seaton.<sup>39</sup>

Cheers from the Ministerial Benches, and ironical cheers from the Opposition.<sup>40</sup>

((MR. AYLWIN resumed:)) He had read the debate which had taken place in the House of Commons when the vote of £2,000 to him and his heirs was moved, and the only man who, on that occasion, spoke like a Briton, much as he was calumniated and ridiculed, was Joseph Hume. (Cheers and laughter.) He could show them how correct were his observations on that occasion and would refer them to what would touch their pockets if it did not ((touch)) their feelings. The people of England cried out loudly that the introduction of Canadian flour and grain was allowed as a bribe, because the people of this Colony were rebellious, and bad children. If that was the reason that they were now placed upon the same footing as their brethren in Great Britain, that was the strongest possible censure of the conduct of that Government. He would, however, pass over the name of that man, for now all his sycophants were gone: they had turned to worship other gods. He would refer to another who had been ennobled, not for any merit, nor for services to the state, but because he had been sent out at a particular time to carry out a false, hollow, and deceitful policy, to deceive and betray the people, to lead them to do as he did, to speak as he spoke, yes and even to swear at his bidding. He came out to this colony to corrupt the people, with a gift of a million and a half. Who could forget the time when immense grants of money were voted for this road and that road, to corrupt the people? So far from that man deserving a peerage, he ought to have been impeached, and he would have been in the good old times. He would wish to hear the judgment which men twenty years hence would pass upon the government of that man, who had played the part of a pickpocket in the country. Fortunately for him, his scutcheon never appeared on the walls of the Legislature, but he was called to take his place elsewhere, and he would speak of him no more. He would now refer to the instance now before the House, and he would have no right to say anything under other circumstances than this, and he repeated what he had said before, that if called upon to take proceedings against the Head of the Government, he would do so legally, and petition the House of Commons to bring a bill of indictment against him for an invasion of the rights of the people of this province, and a breach of the powers given to him. Such would be the course he would take against him, if any opportunity were fairly granted. (Ironical cheers.) Hon. gentlemen might say, "Hear! hear!" but in five months after that individual has left these shores, they will join, as others have done before, in reprobating his conduct: there were always sycophants and man worshippers, there were always worshippers of the rising sun.<sup>41</sup>

You worship the setting sun.<sup>42</sup>

((MR. AYLWIN:)) Yes, if he were induced to turn Parsee, he would be more disposed to worship the rising sun. He would never truckle nor yield to power; and if he showed respect to any man, it was in the way in which he would have it paid to himself; but as far as the petty incense was concerned, let others show it. He would never stoop so low as to belong to that priesthood which worshipped the setting sun. He was not surprised to hear the Member for Montreal saying that the conduct of the Governor General was deserving of the distinction given him. What was that conduct? Let it be contrasted with that of his illustrious predecessor, whom he might praise, for he had passed away, and from whom he had nothing to expect or hope, and never had, for he hoped that by this time his (Mr. Aylwin's) character was known to be above flattery, to be superior to the favour of any man, and he might say fearlessly, if there was a truly free and independent man in that House, or this Colony, it was himself. (Ironical cheers.) The minions of power might cry "Hear! hear!" the trucklers to popular prejudices might cry "Hear! hear!" those who sold themselves to support the rich and powerful, might cry "Hear! hear!" - he liked to hear them, and the more they cried "Hear! hear!" the more he despised them. (Ironical cheers and laughter.) He would infinitely prefer being in the position he was, he would infinitely prefer to stand alone in that House, to bear its contumely, to brave all the remarks of a degraded and hireling Press, than to receive any support, any praise, from that side of the House - that would, indeed, be a humiliation - that would, indeed, be an insult. The Member for Montreal had told them that no man was more deserving of the honor conferred upon him than the new Lord, the last of the Lords. He would take a review of that conduct: - He had come into this Colony at a time of perfect peace and tranquillity. (Ironical cheers.) When it was admitted by all parties, and even by the paltry Press of the country, that the Colony had never been more quiet; all parties were disposed to support the existing Administration and his Government; that party which was always disposed to truckle to the powers that be, acknowledged the Ministry to be, if not gods, yet demi-gods, and were disposed to support them in hopes of getting some crumbs of favor. What could be a stronger instance of this than the election which occurred in Montreal at that time, in consequence of one of the present Members for that city having been compelled to vacate his seat on account of antagonism between him and his constituents; in that election there was no tumult, no fierce demonstration of hostile feeling, but it was carried without opposition - without a poll - unanimously. (Ironical cheers.)<sup>43</sup>

MR. HALL rose to order. The Hon. Gentleman was out of order in referring to a previous election for Montreal; it was not the question before the House.<sup>44</sup>

The Speaker ((SIR ALLAN MACNAB)) said the Member for Quebec was out of order, in referring to the election for Montreal.<sup>45</sup>

MR. AYLWIN resumed - Let those Hon. Members, on the other side, who were elected by majorities from ten to two - let him who had, as yet, no

place in that House - let him who was to take his place in that House to-morrow-<sup>46</sup>

To-day! to-day! - he is waiting to come in -<sup>47</sup>

((MR. AYLWIN resumed:)) Oh! to-day is it to be; then, Sir, I will suspend my observations until he is admitted.<sup>48</sup>

Cheers! and cries of go on! go on!<sup>49</sup>

((MR. AYLWIN resumed:)) If he were subjected to interruption, he could laugh at it. Let it not be supposed that the observations of the public prints, which he despised, or the observations of Members on the other side, had any effect upon him. (Ironical cheers.)<sup>50</sup>

The Honorable Gentleman was interrupted by a knocking at the door, and the entry of a Messenger from the Legislative Council.<sup>51</sup>

After the message was received, he ((MR. AYLWIN)) continued -

Sir, I am not surprised, upon an occasion like the present, to find the two Members for Montreal supporting the motion before the House; in common gratitude to the nobleman at the head of the Administration, to the last of the Peers, they were bound to take up his cause and say all they could in his favour, for they held their seats in that House not in consequence of any merit of their own - not because of their individual politics, but as mere supporters of the Governor General. They had praised the Governor General as the head of a political party - they had said for this he was deserving of the favor of the Sovereign, for the course of his conduct in this Colony; he would tell those Hon. Gentlemen if there was any thing for which he was deserving of censure, it was because here, as the servant of Her Majesty, he had taken a part in the political affairs of the Colony - because he had made himself a party man - because he had assumed a position which even the Sovereign herself never took, and had made himself like the President of the neighbouring Republic. He had lent the influence of his politics, the weight of his name and character to introduce Democracy in this Colony. The Sovereign never became the head of a party - the Sovereign never sat at the Council Board with her Ministers; but the President of the United States and the Governor General of Canada did so - (Oh! oh! and ironical cheers.)<sup>52</sup>

DR. DUNLOP - When did the Queen give it up?<sup>53</sup>

MR. AYLWIN continued - When did she give it up? She has never done so - the sovereigns of the House of Hanover have never done so. (Oh! Oh! and laughter.) His authority to this assertion was Blackwood's Magazine, to which he believed the Member for Huron had been a contributor, and he would allow it was a good one. He believed that when such a statement was made and circulated not in the Colonies but at home, he was borne out in assuming it to be true; he would not be surprised if the article



from which he quoted were the production of a Peer, not only of a Peer, but a member of the Privy Council, and not only a Member of the Privy Council, but of the Cabinet itself - a Peer much greater than the last of the Peers, and one who had earned his elevation in a nobler manner than any Peer who had come to this country, unless, indeed, the honours of the peerage had been conferred upon the immortal Wolfe. The individuals who had been made Peers and Knights in this Colony, he must say, were not such that the dignity elevated the individual, or did honour to the estate, to the country, or the high quarter from whence they were derived. Upon what was the title which had now been conferred founded? - On the conduct of the individual here? - Let the conduct, he repeated, be contrasted with that of his predecessor - he had found this Colony in peace, and he had engendered war, he had been the occasion of bloodshed, he was the cause of the strong opposition with which his Ministers were met at every turn. It was here, that the press put forth false statements, that it gloried in the majorities in that House, but what were those majorities? Sometimes one, sometimes two, three, four, five, and sometimes six, and sometimes merely the casting vote. And in the teeth of that, they were told that the conduct of this individual was deserving of the high honour conferred upon him - that it had entitled him to a peerage. Sir, if I were to vote in favour of such a motion, knowing all this, I should stultify myself; and should none other oppose it, should no other vote be recorded against it, my feeble powers shall oppose it, my voice at least shall be raised against it, my vote shall stand recorded upon the Journals of this House.<sup>54</sup>

Cock-a-doodle-doo and laughter.<sup>55</sup>

((MR. AYLWIN resumed:)) Sir, if I could meet that individual upon fair ground, I should desire nothing more than to bring an action for libel against him. (Ironical cheers and laughter.) And now I am called upon to vote an Address of congratulation to him on his elevation to the peerage - God forbid that such men as he should be again sent out to this country - God forbid that such honours should be again so unworthily bestowed - God forbid that the Peerage of England should be again so prostituted.<sup>56</sup>

Cheers from the Opposition, ironical cheers and hisses from the Ministerial Benches.<sup>57</sup>

((MR. AYLWIN resumed:)) He had found the country in unanimity.<sup>58</sup>

No! No! from DR. DUNLOP.<sup>59</sup>

((MR. AYLWIN resumed:)) What was the position of the Member for Huron and Toronto at that time? He would appeal to the Member for Ottawa, he would ask him if he had not given to the late Administration his strongest support? - he would ask another Hon. gentleman on the other side who

was frequently absent, and conveniently sick? - he would ask them to contrast the strong majorities it possessed with the weakness of the present government, and the blunders it committed, and then fearlessly and unblushingly get up and vote an Address of congratulation to him, to whose conduct the whole of this was to be attributed. What is already said in this country? - Sir, I say that there is a flame already kindled, which will consume this administration. The people of England know it, and this peerage, what is it, but the harbinger of the recall of the Governor General? The Member for Montreal had said that he hoped he would stay long in this Province to convert all to his opinions, and convince us of his justice and truth. It was well to hear such statements as that made, but who laughed at such justice and truth more than he (Mr. Aylwin) did? He (Mr. A.) had striven by his personal interest to frustrate the schemes and views of his supporters, and that, too, backed and supported by sums of money raised in Montreal and what was the result? In the whole district of Quebec there was but one returned who was not in opposition to the policy of the Governor General; there was, he said but one, and the means by which that one election was secured would some day come out. What had the Governor General done? He had, it was said, contributed much in charity, and his princely means allowed him to do so, and he would be the last to impugn his motives for so doing, but he did think it extraordinary, that ten days before the election for Megantic, he had sent a donation of £10, and the present Member for that county another of £5, to the Roman Catholic Priest there. The circumstance had struck him as curious, to say the least of it, and if it had occurred on the other side of the Atlantic, where there did not exist those courtly notions of speech which were advocated by certain members here, it would have been designated by a name, he would not say what, but in a circumlocutory manner term it, as a thing not exactly proper to be done, and that it looked as though they were not altogether sure of their position. This colony had relied upon the declaration of the Sovereign, that it was to be ruled by an Executive chosen from among the people, and possessed of their confidence - that it was to be governed according to the well-understood wishes of the people; that declaration had been hailed with joy, which he wished to hear echoed through the land. There might be Chartists in England, there might be bad men ((in)) Ireland, and turbulent men in Wales, but in Canada there was not one disloyal, not one who did not wish to see the British rule maintained for ever, and the ties which bind us to the Mother Country made ten times stronger than they are at present. But the sentiments of the people of Canada are not understood at home, they are misrepresented by a certain mean party connected with speculators at home, whose interest it is to do so, to gain some paltry aggrandizement. It was these people and their allies who had inflicted so many injuries upon the people of Canada, and who, instead of expiating their offences, as they ought to do, now desire to perpetuate this system. It was this mean herd who, with its lip-loyalty, with its protestations of exclusive devotedness to the Crown - those who had before inflicted on the country the evils it had borne, that they might profit by its misfortunes, who now endeavoured to plunge it into the same state. These men were listened to at home. But it was time there should be a change - it was time

that those who send us our Governors should know that the people of this colony are endued (sic) with the feelings and principles of British freemen, that they are jealous of their rights, and determined to maintain them. Our Governor should recollect that the people of this country are not the ignorant herd they are in England, but that they possess a far greater knowledge of Constitutional and Parliamentary Law, than the people they have left. (Ironical cheers.) In this colony there did not exist those artificial distinctions which exist in England, but every man could shoulder his neighbour in the paths of learning and distinction; here there were no privileged classes to ride rough shod over their fellows; here there were none who could command the unwilling support of the people, as a right; and let it be well understood in England, in sending out Governors here, that they send a man acquainted with civil institutions; we want no diplomatists, no men accustomed to rule in Hindustan; we want no Military Governors who may do well enough at the head of a regiment, or in command of an army, - these are not the men to suit this colony, this great and noble colony, which has taken a stand, I will not say among the nations of the world, which all its sister colonies will follow. There had been a sycophantic address presented from one of the sister colonies approving of the conduct of the Governor General, but a reaction had taken place, that expression of opinion was now recalled, and names and principles were now recorded on its journals, principles such as the Honble. Member for the Fourth Riding of York had contended for year after year; and which, in the end, must be triumphant. Let it not be said that there existed any power which could put down the expression of public opinion, after it had been warranted by the declaration of the Sovereign that this colony is to be governed in accordance with that, - a declaration which she dared not violate, and if she did, he would be bound to free him from his allegiance as a subject. What, should he be told that he was not to enjoy the rights which his grandfather had done in England? If the Sovereign said this, then it was indeed, time for him to look out for a new dominion, if he was not to be as free a subject as he had been, but to be placed in a state of thralldom. But he knew such was not the desire of the Sovereign; he knew that she felt deeply for the welfare of this Colony, as His Majesty, her Royal predecessor, had done; she knew the importance of it as the brightest gem in her Royal diadem. And, therefore, when he heard proposals on the other side of the St. Lawrence for the annexation of Canada to the Union, he spurned them with the contempt they merited. (Cheers.) He would like to hear such a proposal made to the people of this Colony, that the people of the United States might see with what scorn they would be rejected; they would find that it was not so easy to annex Canada as Texas. The proposition was incredible and absurd, and would never be entertained in this country so long as the people rely upon the faith of the Sovereign being kept inviolate. And the calumny of the disloyalty of the people of Canada originated alone with those who have the ear of the Colonial Secretary, or with the little paltry-minded Colonial Secretary himself. He wished it to be understood at home that the men of this country knew their rights, and were determined



to support them, whatever might be said by the paltry Press, and such vile Addresses as this. He reprobated the conduct of the present Governor General; it had been a course of extreme injustice, of grinding tyranny; the people had been cheated with the semblance of free institutions, and ruled with a rod of iron. When it was told that the President of the Council, in spite of repeated efforts, had been unable to obtain a seat in that House, could the people at home avoid expressing their astonishment. The President of the Council was without a seat in one House or the other, and a certain individual, whose talents were higher than those of the gentlemen opposite, however high he acknowledged them to be, was compelled to leave his seat in the Upper House, and go to a certain constituency with sixty, eighty, perhaps one hundred and eighty votes, in order to take his seat in that House; in order to bolster up the Administration; this was a strange coincidence. And with all these manifestations, the Representatives of the people were called upon to prostitute their approbation of the policy of the Government by this Address. He was surprised to see the attempt made. He appealed to the Hon. Gentlemen opposite, who were compelled to keep their seats night after night, to keep up their petty majority, if they might not well exclaim - "Save us from our friends!" No matter what were the representations made by the speculators who trafficked in the misfortunes of the country - who ground those on this side of the Atlantic, and cheated those on the other, the voice of the people would be heard. The attempts of those men in that House who, instead of giving their support to the Government, derived their support from it - men who would never have had seats in that House if they had not bowed down to, and worshipped the idol for the time being - men who were only allowed to express an opinion in that House sotto voce - the attempts of these men by letters, not diplomatical but quasi-diplomatical would be defeated. He deprecated such attempts, and the people of England were learning to judge better of such attempts. They already did judge better; not only was the eye of the Mother Country upon us, but the eye of the adjoining Colonies, and the eye of the great Republic; and it is in vain for the petty moths which had fretted it, to attempt to bite into the fair cloth which ought to cover this Colony; the country would rise in spite of them, free and untrammelled, and take its place, its high, its proud position, he would not say among those who had the right to call themselves British subjects. And if it did so, it would be in consequence of the introduction of free institutions and the establishment of a government like that enjoyed at home. But this could not be effected by sending out the Governors which had been sent, it could not be done by Indian satraps. The Government of this Province was to be carried on by an Executive having the confidence of the people, with the assistance of a Governor, not sent to rule with a rod of iron, not sent to listen to the thousand lying tales poured into his ears by sycophants and villains of one soil and another, but who would put down such, and acknowledge and know no other influence in his counsels but that of his sworn and responsible advisers. The Governor had no right to intrigue behind the back of his Ministers, he had no right to make appointments without their knowledge and consent; he was to be



their monitor, but the instant he became afraid of them, that instant he made the acknowledgment that either he was inferior to them in intelligence, or else he came out to violate the faith of the Sovereign pledged to the country. After he had made this exposition of what should be the conduct of the Governor, he wished that the Hon. Members opposite would only consider the past a little, and not in vain strive against the sea with a pitchfork, with their majority of three, Nova Scotia was in an uproar, New Brunswick was aroused, the United States spoke of annexation, and all the result of that policy for which they were now called upon to congratulate the last of the Lords. If they were taught to consider the Royal promise had been violated, that the representations made by Peers of the Realm were untrue in point of fact, in how painful a position would they be placed. Not only the representatives of the people but the majority of the people themselves would form the profound conviction that the faith of the British Government was a puny faith; and instead of looking up to Monarchical institutions as full of honour, resplendent with glory, and the Queen of Great Britain as the mirror of all justice and honour, they would be obliged to recapitulate the acts done in violation of solemn promises again and again repeated. That House would recollect the outcry that was made of the great outrage done to Responsible Government, when the late Attorney General of Upper Canada, twice defeated there, was at length returned by a Lower Canadian Constituency. That outcry was loud and long, and it would be well remembered how the respectable constituency of Rimouski was turned into ridicule. (Ironical cheers.) And yet now when the great town of London returned a representative to sit in that House and control men, the representatives of thirty and forty thousand electors, they were told it was perfectly constitutional. And that man who had been thrice rejected by his own countrymen, who was now held in odium where he was once respected, was at the head of the Executive without a seat in any House, and they were told plainly that this was Responsible Government, this was a carrying out of the promises - this was a redemption of the pledges made to this country. Were not these things a practical commentary on the conduct of the individual they were now called upon to congratulate. Such conduct could only be the result of a recurrence to the old policy of the Mother Country; and it would have been better to have recalled him altogether than to give a peerage to one whose mission had most signally failed. Lord Sydenham had been partially successful, for he had ((not)) only made use of the club, but also of the million and a half; but the present Governor had partly abandoned the club and taken to large promises of favour and emolument. He understood the system of such government, and the sooner it came to an end the better for the Governor and the country. No administration had ever occupied the humiliating position the present did, every effort that it made was put down in the House; although Ministers said that all their measures were ready, they had not been brought forward, and it now stood in the same position it did at the commencement of the Session. Its most ardent supporters had been obliged to stand forth and exclaim against the manner in which the business of the country was carried on; and Members were compelled, in defiance of their own interests,

to remain in that House, week after week, to correct the blunders made by the Administration, and to save it from their consequences. I would like to have in my hands one tenth part of the means wielded by the Hon. Gentlemen opposite, and I would show them in how short a time I would make the majority of two and three, five, six, or ten; I know how it can be done.<sup>60</sup>

No doubt! Cheers and shouts of laughter.<sup>61</sup>

((MR. AYLWIN resumed:)) He was glad to hear those cheers, it gave him an opportunity to make a statement which would, no doubt, redound to the honor of the last of the Peers - which would, doubtless, entitle him to the gratitude of his fellow Peers in England; he alluded to the appointment of the son of the famous Papineau to the Prothonotaryship of Montreal, by the man who repudiated political appointments; and the appointment, also, of his brother, the silent Member for Ottawa, who did not represent a French Canadian constituency, nor was he supported by his own people. And these appointments had been made by him who repudiated the distribution of patronage for political purposes. It was not the interest of the Member for Montreal, who had regaled them with a speech upon this occasion, to make allusion to bye gone times. In what a position would he be placed, if he were to put his hand into his pocket and pull out some printed declarations made on the part of individuals on whom he now relied for the support of this popular Administration.<sup>62</sup>

Go on! Pull them out.<sup>63</sup>

((MR. AYLWIN resumed:)) It was emblematical of the way in which the Government was carried on: the Administration for the time being put down the popular party; those who opposed or interfered with it were designated as traitors and rebels; then the puppet went home, and another came out who took those traitors - those jailbirds - the chief of the disloyal, into favor, Bedard, Vallieres, Panet, were raised to the Bench; and last, the President of the Council, who had been eighteen months in prison; who had been the subject of the investigation of the Privy Council - who had been denounced by the Attorney General of the day, this disloyal man - this hoary-headed old traitor, was made the fidus achates of the Governor, and was found a great supporter of Her Majesty's Government, because it was thought that he might, perhaps, in conjunction with his son and brother exercise some influence over a certain gentleman in Paris; such was the diplomacy of this last of the Peers, diplomacy which might do among Indian Rajahs. He could not conceive the position of a British Peer, so abject, so low, so humble as that of him to whom it was now sought to secure the triumph of an hour, not only to bind round his head the coronet, but the wreath of civic honors. Let the other side of the House do it if they pleased, he would not lend himself to it. He could only characterize his conduct as the weakest, as beneath contempt. It would have been better had he remained as he was, for he could no longer continue to administer the Government of that Colony And instead of responding to the wish that he might long rule in this country, he

hoped this was the last that it would see of him. (Ironical cheers.)<sup>64</sup>

MR. COLVILLE wished to answer some observations made by the Member for Quebec reflecting upon Members upon that side of the House; he had called them abandoned sycophants and man worshippers. For his part he would tell that Hon. Gentleman that he worshipped no one but his God. (Cheers.) He did not worship the rising nor the setting sun; he did not worship Lord Metcalfe, neither did he worship the Member for Quebec. But, Sir, I will tell you what I do worship: Sir, I worship justice, I worship moderation, and Sir, I worship the patience and talents with which the noble Lord at the head of affairs has carried on the Government since he came here. (Cheers.) The Member for Quebec had told that House of the high crimes and misdemeanors committed by the Governor General, and for which he deserved impeachment; the only crime which he (Mr. Colville) knew of his having committed was his having deprived the country of the valuable services of the Member for Quebec. (Cheers.) And, Sir, for my part, I am grateful to him for that - I am grateful that that gentleman is no longer Solicitor General. (Cheers) He was glad of an opportunity to say that in his opinion the conduct of that gentleman and his colleagues was bad, and that of the Governor General good; and that was not the first time he had expressed this opinion. He had expressed it before he was elected and it was on that account, and on that only that he was elected. Sir, I envy the Member for Quebec his powers of oratory, and those of the Member for Portneuf. But, Sir,<sup>65</sup> he was obliged to say with Anthony -

I am no orator, as Brutus is:  
But, as you know me all, a plain blunt man,  
That love my friend; and that they know full well  
That gave me public leave to speak of him.

But he (Mr. Colville) could wish for the united powers of oratory possessed by the honorable members for Quebec and Portneuf, when he took upon himself to express the gratitude which he felt to his Sovereign,<sup>66</sup> for this act of consideration and justice<sup>67</sup>, for ennobling the man, whom, above all others, the Colony should respect.<sup>68</sup> The Member for Quebec dare not accuse the Queen of sycophancy in conferring the distinctions she had done upon His Excellency. For my part, Sir, I hope I shall always be an independent Member of this House, as I am in other respects, for I wish to worship neither the Governor nor the Government. And Sir, I will be independent so long as, with the sweat of my brow, and the labor of these two hands I can earn a hard dollar a-day. (Cheers.) I hope we have heard for the last time, these accusations of sycophancy and man-worship. It would have been more seemly and more polite if the motion before the House had been allowed to pass, as the Address to the Crown on the French language had passed, by acclamation. It would have been better if it had not been made a party question; he believed the Hon. Member for Essex had no intention that it should be so received, for he was not a party man. But if Members on the other side wished it to be made a party

question, and did not wish to express their gratification at the mark of favor, he was content to express his fearlessly. He believed that the course of the Administration of Lord Metcalfe had been of great and universal good to all, if for nothing else, for having got rid of the Hon. Member for Quebec. (Cheers.)<sup>69</sup>

MR. ERMATINGER supported the motion of Col. Prince, in a short ... address.<sup>70</sup>

(296)

London  
Election.

Mr. Speaker informed the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery, a certificate of the election of a Member for the town of London, in the room of Lawrence Lawrason, Esquire, who had vacated his seat.

And the said certificate was read, and is as followeth:--

Province of Canada

OFFICE OF THE CLERK OF THE

CROWN IN CHANCERY,

Montreal, 25th February, 1845.

This is to certify, that in virtue of a Writ of Election, dated the twenty-fifth day of January last past, issued by His Excellency, the Governor-in-Chief, and directed to the Returning Officer, for the town of London, (William Horton, Esquire,) for the election of one Member for the said town of London, in the room of Lawrence Lawrason, Esquire, who had resigned his seat, the Honourable William Henry Draper has been returned as duly elected accordingly, as appears by the Return to the said Writ, dated the thirteenth day of February instant, which is lodged of record in my office.

FELIX FORTIER,

Clerk of the Crown in Chancery.

To W. B. LINDSAY, Esquire,  
Clerk of the Legislative Assembly

MR. GOWAN regretted that he was not in the House when the motion before the chair was made; but he had arrived there in time to hear the speech made by the Member for Quebec. The Hon. Gentleman had told the House that no individual had done the Colony such irreparable wrong as the noble Lord at the head of affairs, but he had forgotten to tell the House in what; he had not entered into any particulars; he had not specified any particular



iniquity which he had committed. Did that noble man excite the people to rebellion? Had he withdrawn from the country one good quality which it previously possessed? Had not the prosperity increased in a degree surpassing what it had ever done before? Then, Sir, the Hon. Gentleman told us that he pitied and pardoned him; these are strong expressions. That noble Lord excited the pity and the pardon of whom? - Of the member for Quebec! Excited the pity and the pardon of the Member for Quebec, forsooth! What crime had he committed - what heinous and irreparable (sic) offence, that he should be sentenced to the pity and pardon of the Member for Quebec! Sir, the Honorable Gentleman reminds me of a fable that I read, when a boy, of a lion and tomtit -<sup>71</sup>

((MR.)) AYLWIN - Here comes the tomtit.<sup>72</sup>

At this moment MR. DRAPER was led in by Messrs. Dunlop and M'Donald (Cornwall), and ... ((was)) introduced<sup>73</sup>.

(296)

*The Honourable William Henry Draper, Member for the town of London, having previously taken the oath, according to law, and subscribed, before the Commissioners, the Roll containing the same, took his seat in the House.*

((There was)) cheering and clapping of hands from both sides of the House.<sup>74</sup>

(296)

*Joseph Woods, Esquire, Member for the county of Kent, having previously taken the oath, according to law, and subscribed, before the Commissioners, the Roll containing the same, took his seat in the House,*

*After which,*

((There was)) cheering and clapping of hands from both sides of the House.<sup>75</sup>

MR. GOWAN continued - The Hon. Member for Quebec remarks that the tomtit had just entered the House, but, Sir, I tell that Hon. gentleman that the tomtit was in the House before the member for London entered, and excited the pity of the lion as he passed. (Cheers.) He would tell that Hon. gentleman when he talked of extending his pity to the noble Lord at the head of affairs, there would be a description of pity extended to himself from the widow and the orphan who blessed the saving bounty of that nobleman<sup>76</sup> but hardly perhaps pardoned<sup>77</sup>. He had told the House that he could not congratulate his Excellency on his exaltation to that noble body, the Peers of England, and that he could not congratulate that body upon his exaltation; it was well that he had so much consideration for that body which was entitled to the veneration of every subject of the British Empire. Sir, the newspapers tell us, and I, Sir, do not pretend to look upon them with that contempt which the Hon. Member for

Quebec affects - that a certain gentleman, resident in Montreal, had thought fit publicly to compare the Governor General to the British Constitution, and asked<sup>78</sup> in the City of Montreal whether the Constitution was like, what he should not name, but if it was a cancer<sup>79</sup>. Yes, this had been done by a Member of that House in a most unfeeling manner.<sup>80</sup> He supposed the hon. member for the city of Quebec was now comparing it to a plague or pestilence.<sup>81</sup>

MR. AYLWIN rose to order; did the Hon. gentleman refer to him?<sup>82</sup>

MR. GOWAN resumed - No! he did not, that gentleman was not a resident of Montreal.<sup>83</sup> If the hon. member read the newspapers, which he was so free to censure, he would know to what he referred.<sup>84</sup>

MR. AYLWIN - But, I don't read them!<sup>85</sup>

MR. GOWAN - Then the Hon. gentleman must be an excellent judge of their contents. (Cheers.) If the Hon. and learned Member for Quebec could not congratulate his Excellency upon his elevation to the Peerage, he could tell him that there were thousands upon thousands of intelligent men outside of that House, men equal in intelligence to him or any Member of that House, who would not only congratulate his Excellency, but themselves upon the event. Yes, Sir, there are thousands of noble-minded men who never crouched to power upon the shores of Lake Huron; thousands of loyal men tilling the back woods of Simcoe; thousands of hardy settlers upon the banks of the Ottawa; and<sup>86</sup> he had friends around him who were ready to answer for the inhabitants of the Eastern Townships of Canada, and who would say that its inhabitants had the same feelings<sup>87</sup>, aye, and in the Seigniories, too, thousands upon thousands of honest hearts who will congratulate him upon the distinguished mark of approbation which he has received from his Sovereign. (Prolonged cheering.) The Hon. Member for Quebec told them that when his Excellency came to the Province, the Members on this side of the House looked upon those of the late Administration, if not as gods, yet as demi-gods.<sup>88</sup>

Tomicods.<sup>89</sup>

An hon. friend had helped him ((MR. GOWAN)) to understand the mistake under which the hon. member for Quebec was laboring - yes, that must be the case - they were not considered as Demigods, but as Tommy Cods - the error was easily made. - (Loud laughter.)<sup>90</sup> "tomicods" ... is a more appropriate expression, and quite in keeping, for we say, "Oh ye gods and little fishes." (Cheers and laughter) The Hon. gentleman throughout the course of his address styled his Excellency the last of the Peers; yes, Sir, the time was when the same opprobrious epithet was equally applicable to some of the most distinguished men, whose names are written in letters of light upon the book of British History, whose memory is engraved in everlasting characters upon the altars of our homes - names, Sir, which are syllabled with veneration by the lips of every man who boasts a British

heart. Sir, the time was when the immortal Nelson, returning victorious with his hard earned laurels round his weather beaten brow, might have been called the last of the Lords. Sir, the time was when the illustrious Duke of Wellington, the greatest warrior of the age, elevated to the peerage, not on account of wealth, not in respect of his family connections but on account of his merit as a man, a statesman, and a soldier, might have been called the last of the Peers. Sir, there is no reproach in the name which the Hon. gentleman has been pleased to make use of; whatever reproach was intended to be conveyed by it, recoils upon him who had the bad taste to use it. The Hon. gentleman has been pleased to make allusion to the Members for Montreal, and said that they were bound to defend His Excellency upon this occasion, because they were indebted to the influence of his name for their seats in that House, and had come in under his wing. I would ask, what higher compliments could that gentleman have paid to His Excellency than was conveyed in this admission that the people of Canada had responded to his call, and had, in obedience to it, returned to this House the greater number of Members sitting upon this side. If the statement of the Hon. Member was true, and who could doubt it, the sentiments of His Excellency had found a response in the bosoms of the majority of the people of this Province. The Hon. gentleman alluded to the late Governor General, far be it from me, Sir, to say one word against one over whom the grave had closed; I believe him to have been a good man, (Cheers!) but the course of policy which he pursued has not met with the cool calm support of the people of the Province; and it is well known that when those who filled the Council came before the people, they did not meet with the approbation of the country. The Honble. Member had made a great glory of the District of Quebec; it was there, and there only, that public opinion was freely and fairly expressed; he would admit that it appeared to be all powerful in some adjoining Districts, when it only found vent through a certain channel<sup>91</sup>, and that channel was the hon. member himself.<sup>92</sup> Public opinion in Quebec forsooth! There were some persons not nine miles off who could tell something of what public opinion in Montreal was also.<sup>93</sup> (Oh, oh).<sup>94</sup> Public opinion in Quebec! Sir, if those unfortunate newspapers speak the truth, they will tell us what public opinion in Quebec means; the Honble. gentleman opposite can tell us, Mr. Taschereau can tell us what public opinion in the District of Quebec is. (Cheers!) The Member for Montmorency can tell us what public opinion is there; and if he thought proper, the Returning Officer for the County of Portneuf can tell us what public opinion means there. (Cheers!) Sir, the late Speaker of this House, could tell us what public opinion was at Rimouski, and it no doubt is very similar to that of Quebec, when the Representative carries in his pocket the certificate of the Honble. gentleman opposite. (Prolonged cheering!) The Honble. gentleman has told us that the British Government must not send Military Governors, nor Diplomats to this Colony; he has cried out: "Sir Henry Pottinger, don't you dare to come here." Would it not be as well for that Honble. gentleman at once to send home a Despatch ordering the Home Government<sup>95</sup> not to send a Governor to this Colony without first asking the sanction of the



Member for Quebec to the appointment? The most independent Member of that House, he would cut and carve out Governors, and Governments for Canada. The Hon. gentleman had alluded to that hoary headed old man who had been imprisoned by the British Government, the present President of the Council, all, Sir, that I shall say in reference to that, is that this gentleman has spent many, many years in the service of his country, and in behalf of his countrymen, and if he has been tortured for doing so, I call upon the Member for Quebec to remember that there is another description of torture besides that of the prison, and inflicted by other hands than those of the British Government - when this hoary headed old man is held up to obloquy and ridicule, lashed and cut up time after time, and that too, when his grey hairs ought to shield him from the martyrdom to which he is nightly subjected. The Hon. Member taunted the administration with its majorities; if he really believed what he stated that the Government could not command a greater majority than one, why did he not muster sufficient courage to come out openly and boldly like a man with a vote of want of confidence; and then he would learn what the majority of the Government really was. (Cheers.) The Hon. gentleman spoke of the peace and prosperity in which the Governor General found this Province: Yes, he found it with one party ruling over the other with a dominion more tyrannical than that exercised by the Emperor Nicholas over the unfortunate Poles. (Cheers.) I say, Sir, that Hon. Members on this side were dismissed from office without the shadow of a crime or complaint; men who had done the state some service were spurned ignominiously from their offices because they dared to express opinions adverse to those of the Government of the day. (Cheers.) But when the Governor General came, he told them that he was not disposed to carry on the government for a party, through a party, and to the extermination of a party. Then when he exhibited those enlarged and liberal views, they became affrighted; the rays of daylight were let loose upon this nest of owls, and they flew screaming and screeching through the country. (Cheers.) The Reform Association was formed, and the people were told to pin their faith upon the sleeves of these gentlemen, to oppose every attempt of the Governor General to form an Administration, and every attempt to harmonize the discordant feelings of the people. When every good and honourable mind ought to bless him for those endeavours. Members on this side were told of crouching to power, of being minions of the great goddess which had been set up; he would tell that Hon. gentleman that there were on this side of the House as independent men as could be found in Canada, if there were Members on this side who did fall down to patronage, he had yet to discover them. The Members upon this side were freemen - freemen in every sense of the word - free to act, and free to speak - free to accept a good measure, no matter whence it came, and to reject a bad one, no matter where it originated. They were free in every sense of the word - they were not tied down or trammelled in any one way; and even the taunts and sneers which Hon. Members opposite made use of when attacking Ministers, because certain Members on this side differed in opinion with them, were conclusive proofs that they were not only free in thought, but in word and action too. I will say, Sir -



"Cursed is the wretch who, bought and sold,  
 Would barter liberty for gold;  
 He who will sell a single right;  
 Would sell his country, if he might."96

(Prolonged cheers.) Sir, I am not one to sell myself to any Administration, nor to barter, for individual benefit, the interests of the Colony. I love the land of my birth, and I am attached to that of my adoption, and nothing could ever induce me to sever the ties which bind them together. Having said this much, I shall support the original motion, because I believe that the tribute it pays is one well deserved by the noble Lord at the head of the Government; and because I know that the sentiments it expresses finds (sic) a response in the hearts of the great majority of the people of this Province, whose Representatives we ought to be.

COL. PRINCE replied to the remarks of his learned friend the member for Quebec. He had certainly, in the simplicity of his heart believed that this motion would have passed without discussion; and he was particularly grieved at the line of argument taken by his hon. friend the member for Quebec. Did that hon. member know, the character of the gentleman he had been pleased to call a novus homo? Did he know that, for 45 years he had served the Kings and Queens of England without being more than two years resident in his native land? Was he aware that a more distinguished politician, a more liberal Governor never existed? Did he know, that he had liberated the press of India from thralldom at a time when it was attempted to put down that enlightened man Silk Buckingham. He thought that the freedom of the press, when it was truly liberal, was an immense benefit, but not when it is prostituted as the press is here. Did the hon. member know that when a man young in India the Governor General had marched as a civilian at the head of an army to storm the great fort of Bhurtpore? And yet after all these services, he was to be stigmatised as a novus homo. Although there had been an antagonism between the Governor General and his learned friend, he appealed to his friend whether that should have hurried him into the expressions he had made, - that he was an independent member - the most independent in the House if he pleased; but he (Col. Prince) could wish that he had as much prudence and discretion as he had eloquence, because then he would stand in that high position to which his principles and his talents so well entitled him. This House had no right to assume that the honor was conferred here. He (Col. Prince) threw overboard the politics of Canada on the occasion. He had been told that he had formerly condemned the policy of Sir Charles Metcalfe. He had done so for not consulting his Councillors. But he believed Lord Metcalfe would consult his Councillors, because he thought that he had been taught a profitable lesson. The hon. gentleman concluded by expressing a hope, that the motion would be carried without a division; repeating that he had no idea of any discussion arising upon it.<sup>98</sup>

MR. ((JOHN SANDFIELD)) MACDONALD (Glengary,) and MR. MERRITT, supported the motion, because they looked upon it merely as a compliment,

which conveyed no approbation of any political views.<sup>99</sup> And ... under ... ((Responsible Government)) system the Ministers being solely Responsible the Sovereign or the Representative of the Sovereign ought not to be blamed for any act of the Government.<sup>100</sup>

((MR. HALL also spoke in favour of the motion.))<sup>101</sup>

MR. SOL. GENERAL ((HENRY)) SHERWOOD said, that the hon. member for Quebec had outraged every principle of Responsible Government in the attack he had made upon the Governor General.<sup>102</sup> ((He)) was sure that the hon. member for Quebec would admit that it was not according to English practice to make use of such language as he had employed.<sup>103</sup> Such language ... would not be tolerated in the British House of Commons. There the character and name of the Sovereign was studiously kept from all discussion. If any member of that body was not disposed to vote for a congratulatory address, he might state so; but unless the character of the Sovereign was left untouched, unimpugned, the very foundations of Responsible Government would be shaken. He challenged the member for Quebec to produce from the annals of England for centuries a single instance of such an attack upon the Sovereign as he had thought proper to make that night upon her representative. In England the Responsible advisers of the Crown are alone answerable to the people; on them falls all odium of its acts. The advisers of the Crown are answerable ((by)) impeachment to the House, and at the bar of public opinion, and it is entirely opposed to the first principles of the British Constitution for any political allusion to be made to the Sovereign<sup>104</sup> when a motion of congratulation is before the House<sup>105</sup>, ((or)) upon any occasion. There cannot be two Responsibilities, if the Governor General is to be held accountable for his acts, let his ministers be released from responsibility.<sup>106</sup>

No, no! - from MR. AYLWIN.<sup>107</sup>

((MR. H. SHERWOOD resumed:)) The King can do no wrong, and the Representative of the Sovereign can do no wrong, and therefore cannot be held accountable; until his person is held sacred, it will be impossible to carry out Responsible Government in this colony. He could see no difficulty in the House voting for this motion, and that too without compromising the principles or opinions of any member of that House; and he was sure if the member for Quebec understood Responsible Government as interpreted by the member for the 4th Riding of York, he would agree with him. The language which had been made use of by the member for Quebec on this occasion was a reflection upon the character of a British Legislature; the personal and insulting remarks he had alleged were not befitting any legislature, and would lower that gentleman in the estimation of every worthy man, without injuring in one iota the noble individual whom he had attacked. The Governor General is an honorable and high minded man; a man, sir, who pays due regard to public opinion legitimately expressed:

sir, he is not such a man as the member for Quebec boasts himself to be, when he declares in this House that he respects neither the opinion of the Press, of the people of this Province, nor of their Representatives in this House. Sir, I cannot but regard a man who is lost to that feeling which should be predominant in the breast of every high minded man - a man who boasts that he is regardless of the opinion of his fellows - as one lost beyond the hope of redemption - lost to every honorable feeling - yes! sir, and lost even to shame - (cheers). Sir, when I see the member for Quebec setting public opinion at defiance, in the manner his expressions show he does, I am convinced that in attacking the nobleman at the head of the administration, he was actuated more by the agonies of keen disappointment than any honest conviction of the propriety of his conduct.<sup>108</sup>

MR. AYLWIN called the hon. member to order.<sup>109</sup>

The Speaker ((SIR ALLAN MACNAB)) - The member for Quebec will please to state in what particular the Hon. Solicitor General is out of order.<sup>110</sup>

MR. AYLWIN could not recollect the particular words, he called upon the Speaker to do that; but the hon. gentleman was certainly not in order when he said that he (Mr. Aylwin) was lost beyond redemption.<sup>111</sup>

The Speaker ((SIR ALLAN MACNAB)) said, he understood the hon. member to say, "the man would be lost, who did such and such a thing."<sup>112</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD - Sir, I said, and I will repeat it, that I am convinced that in the attack which the member for Quebec made upon the Governor General, he was actuated more by the agonies of keen disappointment than any honest conviction of the propriety of his conduct;<sup>113</sup> and that the man who set at defiance public opinion, as the hon. member had done, was beyond redemption lost to all shame<sup>114</sup>, and, Sir, I contend that I am perfectly in order in saying so. The attack which he has made upon the Governor General is unconstitutional, unparliamentary, and contrary to the principles on which the Government ought to be carried on. He repeated, that for centuries, no member of the British House of Commons had dared to arraign the conduct of his Sovereign in the manner that the member for Quebec had done that of Lord Metcalfe. This was answer enough to the tirade of that gentleman, and he would not trespass upon the time of the House in following him through those tortuous and miry courses which he so loved to tread.<sup>115</sup> If Lord Metcalfe was considered by the House to be, what an hon. member ... represented himself to be<sup>116</sup>, a person uniting in his character all that was good, just, independent, and amiable, he could at least appeal to the act of his Sovereign, which had elevated him to the highest station in the land, and could say that act had ment (sic) with the unanimous approbation of the

British nation; while the member for Quebec might take from his pocket a certain certificate of good conduct, signed by some 18 or 20 individuals. - (Cheers.) But, Sir, the one will be read upon the bright page of British History, while the other will crumble to pieces in the pocket of the hon. gentleman opposite. - (Cheers and laughter.) Sir, it is said by some writer that when a man is driven to get a certificate of good conduct there must be something wrong with him; - (Laughter) - if for instance he requires a certificate of his honesty, and sobriety, there is good reason to suppose that he has trespassed in one of these essentials. - (Cheers and laughter.) When it was found necessary to bolster up the conduct of the hon. gentleman by such a device, Lord Metcalfe had not much to fear from his attacks. If the member for the Fourth Riding of York would place this question upon the broad basis it ought to stand, and put it in the light he was accustomed to view things, setting apart all angry<sup>117</sup> personal<sup>118</sup> feelings, he would consider it as he Mr. Sherwood did. That hon. gentleman then would not fail to come forward and vote for an address which only expressed gratitude to the Sovereign for having raised His Excellency to that dignity which his long and faithful services to the Crown and people of England so justly entitled him. And in doing so he would not compromise any political feeling, or depart from the consistency of any principle. He was asked to approve of no act of his Government, for this resolution did not set forth that it was a reward for the services rendered to Canada; but was nothing more than it had been represented to be by its author, a simple expression of gratification at the honour done to an old and faithful servant. It was a resolution in which all parties might unite without a sacrifice of a single feeling or principle. Gentlemen upon the opposition benches may charge the present administration with having failed in their measures, with imbecility, mismanagement, and what else they please<sup>119</sup>.

Hear, hear, from the Opposition.<sup>120</sup>

But ((continued MR. HENRY SHERWOOD)) they will show a generosity of character, or nobleness of disposition if upon this occasion they will act like Englishmen, and come forward and record their votes in favour of this address. - (Cheers.) Sir,<sup>121</sup> such a course would raise in his opinion some of the hon. gentlemen opposite, for whom he had the greatest respect, and whom he well knew nothing could induce to compromise those principles which they have battled for so long<sup>122</sup>. (Cheers). Sir, if I were placed in opposition to-morrow,<sup>123</sup> or were obliged to go into opposition to-morrow,<sup>124</sup> and was called upon to vote for such an address, and refused to do so, I should feel that I was chargeable with being actuated by something more than a desire to do my duty, by something more than met the eye and ear, and that I was not pursuing that course which a highminded Englishman would upon such an occasion. (Cheers). Sir, I am well aware that gentlemen opposite are not prepared to sacrifice their principles, and I am the last to ask such a thing at their hands; but in a question like this apart from all politics, they are called upon to cast aside the petty prejudices of party, and act as the Representatives of the people ought to do.<sup>125</sup>



MR. ROBLIN regretted the turn the debate had taken, as no reference whatever was made in the resolution to any past circumstances; and no political principle, in his opinion, could be involved in the question, as, according to Responsible Government, His Excellency's Ministers, not himself, were chargeable with the acts of his Government. It was well known that he had voted in favour of some proposed amendments to the address in reply to the opening Speech from the Throne, and if voting for this resolution compromised any political principles, did hon. members think that he would now stultify that vote? Not at all; he had nothing to say of the conduct of the Governor, but he was fully prepared to vote in favour of Sir Charles Metcalfe. For if hon. gentlemen understood the principles of Responsible Government, they could see at once that no question as to the conduct of His Excellency was involved. Besides, if hon. members would only reflect, they would remember, that when the stereotyped address to Prince Albert is passed at the opening of every session congratulating him on the renewal of a blessing, conferred not by the Sovereign of the empire, but by the Sovereign of the Universe, the birth of another Prince or Princess, it is not customary to canvass his merits or demerits, and why should a different course be pursued on this occasion? (Hear, hear.)<sup>126</sup>

(296)

*The question was put on Mr. Christie's motion of amendment, a division ensued, and it passed in the negative.*

*The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--*

YEAS.

Chalmers, Christie, Colville, Cummings, Daly, DeBleury, Dickson, Draper, Attorney General Draper, Ermatinger, Foster, Gowan, Graine, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Robinson, Roblin, Rousseau, Scott, Seymour, Solicitor General Stenrod, Smith of FRON- TENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESTON, Watts, Webster, Williams and Wood.--(45.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cameron, Charot, Chauveau, Desautier, DeWitt, Drummond, Jobin, Lacoste, LaFontaine, Latier, Laterrière, Laurin, Leslie, Méthot, Nelson, Powell, Price, Smail, Smith of WENTWORTH, and Thompson.--(25.)

*So it was carried in the affirmative, and*

Address to the Governor General of Congratulation.

*Resolved, That an humble Address be presented to His Excellency, the Governor General, expressive of the satisfaction of this House, in having an opportunity, before the end of the present Session, of congratulating His Excellency on his elevation to the Peerage of the United Kingdom of Great Britain and Ireland; and to express their gratitude to their august Sovereign, for thus rewarding His Excellency's distinguished merit.*

COL. PRINCE said, that as the resolution was carried by so large a majority, he would now propose that the Address should be voted without going into Committee, as it would be more complimentary to do away with the usual forms in this instance.<sup>127</sup>

"No, No," - "Yes, Yes."<sup>128</sup>

((COL. PRINCE resumed:)) Hon. gentlemen might cry "No No," and "Yes, Yes," as long as they pleased, but it was a question that could only be determined by taking the votes. It should be done as handsomely, as gracefully as possible, and he therefore moved, seconded by MR. DONALD AENEAS MACDONELL that the Address be now carried.<sup>129</sup>

MR. AYLWIN - "There is a rule to be observed in such cases."<sup>130</sup>

((COL. PRINCE resumed:)) Well, he wished it to be an exception to that rule, it would be more consonant to the feelings of His Excellency and a large majority of the House.<sup>131</sup>

MR. AYLWIN hoped the hon. member would withdraw his motion and for this reason; if he persisted in it a great many members on this side of the House would be compelled to vote against the address, but if he would follow the usual course, and he would instance to the hon. gentleman addresses passed to the Queen congratulating her on escapes from treasonable attempts on her life, when all the usual forms were gone through, - he hoped that when the hon. member saw how closely forms were adhered to on those occasions, his enthusiasm would not prevent him from withdrawing his motion.<sup>132</sup>

COL. PRINCE, "Not at all."<sup>133</sup>

((MR. AYLWIN resumed:)) Then he would tell the hon. gentleman what would be the effect of his motion, instead of the whole House concurring in the address it would be carried by a mere accidental majority.<sup>134</sup>

CAPT. WILLIAMS, - Accidental?<sup>135</sup>

((MR. AYLWIN resumed:)) Yes, accidental! Why should it be passed now, instead of waiting until to-morrow, when it would be voted unanimously, since it was opposed by<sup>136</sup> -

"A small portion" of "the House" ((interrupted a member on the ministerial side of the House.))<sup>137</sup>

((MR. AYLWIN resumed:)) "A small portion," said a small man on the Ministerial side, perhaps so, but he could tell the hon. member, that there were some names of that small portion which would long live in History.<sup>138</sup>

DR. DUNLOP - Aye, or the Newgate Calendar. (Hear, hear.)<sup>139</sup>

COL. PRINCE would like to hear what good would result from delaying this question, till tomorrow. He hoped the hon. member would give way and consent to pass the address in a manner gratifying both to His Excellency and the majority of the House, - or was he to understand that if the address were referred to a Committee, it would pass unanimously?<sup>140</sup>

MR. AYLWIN, certainly.<sup>141</sup>

((COL. PRINCE resumed:)) Oh! then if that were the case he would give way immediately and with the greatest pleasure.

The hon. member then withdrew his motion, and named a committee<sup>142</sup>.

(296)

*Resolved, That a Select Committee of five Members, composed of Mr. Prince, Mr. Rousseau, Mr. Roblin, Mr. Christie, and Mr. Scott, (of whom three shall form a quorum,) be appointed to draw up an Address, agreeable to the foregoing Resolution, and report the same to this House with all convenient speed.*

*Mr. Prince, from the Select Committee, appointed to draw up and report the draught of an humble Address to His Excellency, the Governor General, expressive of the satisfaction of this House, in having an opportunity, before the end of the present Session, of congratulating His Excellency, on his elevation to the Peerage of the United Kingdom of Great Britain and Ireland; and to express their gratitude to their august Sovereign for thus rewarding His Excellency's distinguished merit, reported that the Committee had prepared the draught of an Address; which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:--*

*To His Excellency the Right Honourable Sir CHARLES THEOPHILUS, Baron METCALFE, of Fernhill, in the County of Berks, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:--

*We, Her Majesty's dutiful and loyal subjects, the Commons of Canada,*

in Provincial Parliament assembled, beg leave to assure your Excellency of the satisfaction which we derive from the favourable opportunity now afforded us of congratulating Your Excellency, upon your Elevation to the Peerage of the United Kingdom of Great Britain and Ireland.

Your Excellency will permit us to express the sincere gratitude which we feel towards our august Sovereign, for having thus rewarded Your Excellency's distinguished merits; and also our earnest hope, that Providence will bestow upon Your Excellency many years to enjoy the honour which has been so graciously and so worthily conferred.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be presented to His Excellency, the Governor General, by the whole House.

Ordered, That such members of this House as are of the Honourable the Executive Council of this Province, do wait on His Excellency, the Governor General, to know His Excellency's pleasure, when He will receive this House with their Address of Congratulation.

(297)

A Message from the Legislative Council, by John Fenning's Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER.

The Legislative Council have passed the following Bills, without any amendment:--

Claims on  
Executive  
Government.

An Act to provide a legal recourse to all Her Majesty's subjects in this Province, having legal or just claims upon the Executive Government thereof, and to enable Her Majesty the more effectually to do justice in such cases.

High School,  
Quebec.

An Act to incorporate the High School of Quebec.  
And also,

Tax on Dogs.

The Legislative Council have passed the Bill, intituled, "An Act to empower the district Councils of the Municipal districts and Boards of Police of incorporated towns, in Upper Canada, to impose a tax on dogs, within their respective districts and towns," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.



Revenue and  
Expenditure  
of Province.

The Honourable Mr. Robinson, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Statement respecting the Revenue and Expenditure of the Province of Canada, for the year 1844.

(For the said Statement see Appendix I.I.)

Kingston  
Incorporation.

Ordered, That Mr. Seymour have leave to bring a Bill to repeal a certain provision of the Act incorporating the town of Kingston, and to provide for the assessment and collection of the district Taxes in the said town, by a Collector and Assessor, to be appointed by the district Council.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

Petition of  
M. F. Valois  
and others.

Ordered, That the Select Committee to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes, and other references, have leave to report from time to time.

Crown Timber  
Office, Bytown.

Ordered, That one hundred and fifty copies of the Return to an Address of this House, of the sixth of December last, to His Excellency, the Governor General, on the subject of the Crown Timber Office, in Bytown, laid before this House on the seventeenth of January last, be printed in each of the English and French languages, for the use of the Members of this House.

Election Third  
Riding, York.

Mr. Berthelot, from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this day, at ten o'clock, A.M., but were unable to proceed to business, in consequence of the absence of Mr. Macdonell, of Dundas.

Profanation of  
Lord's Day.

Ordered, That the Order of the Day for the second reading of the Bill to prevent the profanation of the Lord's Day, commonly called, "Sunday," be discharged.

Ordered, That Mr. Prince have leave to withdraw the said Bill.

*The said Bill was withdrawn accordingly.*

COL. PRINCE withdrew his bill ((because)) he found it was directly in opposition to the established customs and habits of the Lower Canadians: and gave notice that he will bring in a bill to affect Upper Canada solely.<sup>143</sup>

(297)

Proof of  
Marriages, &c.

Mr. Watts, from the Committee of the whole House, on the Bill to provide for the legal proof and preservation thereof, of certain Marriages formerly had before Justices of the Peace, in the late inferior district of Gaspé, Births, Baptisms, and Burials therein, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Montreal  
College of  
Medicine.

Mr. Hall, from the Committee of the whole House, on the Bill to incorporate the Montreal College of Medicine and Surgery, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Claims from  
Rebellion.

The Order of the Day for the House in Committee, to consider the expediency of making provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by the Act of the Legislature of this Province; and relating to the payment of claims arising out of the late Rebellion and Invasions of Upper Canada; and of appropriating the moneys arising from tavern licenses for local purposes, applying such portion thereof, as may belong to localities in Upper Canada, to the payment of the said claims, until the same be fully paid, or the money to be advanced to pay them, be reimbursed to the Province, being read,

*The House accordingly resolved itself into the said Committee.*

*Mr. Scott took the chair of the Committee,*<sup>144</sup>

MR. PAPINEAU in moving that it was expedient to devote the sum of £40,000 taken from the tavern licenses of Upper Canada, to the payment of the Rebellion Losses, and to take a similar sum, as an equivalent from the licenses of Lower Canada, to be devoted to District purposes therein, - stated that previous to the Union, the Parliament of Upper Canada had voted that sum, for the purpose of paying these losses, as soon as there should be means in the exchequer. That by the Act of

Union, all sums then chargeable upon the consolidated revenue of Upper Canada, became charged as debts upon that of the United Province; and that, therefore, this was not a new appropriation, but merely giving action to an existing law, to the principle of which the country stood pledged.<sup>145</sup>

COL. PRINCE was delighted that the time had at length arrived, when justice will be done to those brave men, who, in 1837 and 1838, at their own loss, defended the country against an invasion from the other side of the line. He stood up in his place as the advocate of a county where there was not one rebel, or one person disaffected to her Majesty, but are ruined by their attachment to the empire. He supposed it was well known to all, that in 1837, when there were not the slightest symptoms of disaffection, without any meeting of rebels, a band of ruffians harassed the peaceful county he represented, and burned and murdered our fellow subjects ((upon the)) specious pretext of politics. They told the people they would give them liberty, and fired cannon balls. They told them they would raise the oppressed people of Canada to the same high state of freedom as they enjoyed, and fired volleys of musketry into the streets of the villages. And what he wanted to know was, were these loyal people to be turned out on the world ruined, for preventing ruffians overrunning the country? In the winter of 1837, information reached him and other loyal men at a time when there was not one soldier in that part of the Province, nor in Upper Canada, (hear) and with no one to stand up in defence of the country except the peaceful farmers and habitants, that the town of Amherstburgh was invaded from the American lines, and immediately a force of volunteers rushed to the frontier and drove the ruffians back. Thank God they did not take it that time. The feeling of the population was, that they would devote their lives and fortunes to the defence of the country. And here he might mention that the good people of Detroit, on his simple note of hand, sent \$12,000 worth of goods to Sandwich, to feed the men that flocked thither for its defence. And what was the conduct of these American brigands? A poor man who kept a lighthouse was cajoled into allowing a fellow with whom he would not degrade the title by calling a General, at all events a fellow who styled himself General Sutherland, and who robbed the poor man - ((yes,)) robbed him of everything when he got into the lighthouse. Then the island of Pointe au Pelee was invaded by a horde of four hundred ruffians, who robbed the settlers of everything they possessed, burnt their houses, and turned them out into the snow. This property they took to Sandusky, and sold to the best advantage they could. But, thank God, they were soon after routed with great loss. It would have been supposed that when some fifteen or twenty of them were shot, there they would have got their quietus, and that they would have been convinced that the Canadians were quite contented to live under the laws of the Empire. But in 1838, they crossed over with a large force in open daylight; and robbed and burnt the houses occupied by the troops, with brave men in them. Well, besides that, they burnt a steamboat lying close to the shore, for no other reason

than because it was in the pay of the Government. Having said this much of those ruffians, he would direct the attention of the House to some very strong claims for remuneration. The tavern keepers were eaten completely out of house and home in supporting the militia. Several merchants sold everything they had, and placed the proceeds at the disposal of the military commanders. One merchant brought a schooner of pork, flour and beef from Detroit, and when he sent in his account, the Commissariat, in the full exercise of the strict military duty, taxed his account in the same ((way a)) lawyer's bill would be taxed. Striking off \$ ... beef and \$5 off each barrel of pork. Then ... as there were no means of procuring wood ... he would look upon that as a just claim also he was desirous of drawing attention to the Act of the Upper Canada Legislature, because it might be alleged that that act was not valid. He could never consent to such a proposition; that act was renewed, amended and improved by the United Parliament, and no argument could avail which attempted to set it aside. The sum of £40,000 voted by the Upper Canada Legislature and confirmed by the vote of the United Parliament was a munificent sum, and he was happy to inform the committee that from the returns of the losses received by him, he could say that it would go far beyond what was required. He was in communication with the Commissariat, and found that the claims from his district did not exceed £1000, and putting all things together he had no doubt that £25,000 would pay all the Upper Canada claims. Then came the question, was the mode of raising the money proposed by the Government the best that could be adopted. He had no fear that the slightest objection would be made by any one, even to a direct taxation for this purpose.<sup>146</sup>

DR. DUNLOP did not find much left for him to do after the able statement of the last speaker, but he would assure the House, that when he with the Huron Militia arrived at Sarnia every thing was in the greatest confusion. People were building shanties in the woods for their wives and daughters to take shelter in, and even the missionaries were obliged to retire into the woods with the Indians. However, there were one band of ruffians far worse than the enemy, as they were in the pay of the Government, he alluded to the Commissariat, who were a noose round the neck of the service. A parcel of boys who had just escaped from school, and having misread their instructions, persisted in this misreading, and thus prevented the men under his command from getting sixpence of their pay during four months. As to the question itself, the inhabitants of his district did not suffer the slightest injury from the invaders, but they were willing to bear their part in remunerating those unfortunate people who had suffered.<sup>147</sup>

MR. HALL represented a county where a rebel was never seen, but he would vote for this resolution most cheerfully, even if the £40,000 were to be paid by direct taxation.<sup>148</sup>

MR. MURNEY wished to know whether the losses sustained by persons



who had had their property burned secretly by disaffected persons would be remunerated by this measure, or whether it would only apply to those who suffered loss by the direct and open attacks of the insurgents?<sup>149</sup>

MR. JOHNSTON would also vote for it, although there was not a rebel seen in the county of Carleton. For he thought there was nothing more reasonable than that those who were in perfect security, should recompense the losses of their fellow countrymen, who never knew when they lay down in safety.<sup>150</sup>

MESSRS. MEYERS and MACDONELL of Dundas supported the motion.<sup>151</sup>

M. AYLWIN avait compris d'après la résolution soumise à la chambre par M. D.B. Papineau que les £40,000 destinés au Haut-Canada seraient payés à même les fonds prélevés dans le Bas et dans le Haut-Canada, et qu'ensuite ils seraient livrés à la disposition des conseils municipaux dans le Bas-Canada.<sup>152</sup>

M. SHERWOOD expliqua la mesure d'après le bill projeté et qui n'était pas d'accord avec le contenu de la résolution qui devait lui servir de base; il dit que ce bill avait pour but de laisser les fonds immédiatement à la disposition des autorités locales.<sup>153</sup>

M. AYLWIN se plaignit que ce bill n'eut pas été distribué et que M. Papineau n'eut pas de suite donné ces explications en proposant sa mesure, ce qui était de reste parfaitement caractéristique des bêtises de l'Administration du jour. Il dénonça la discordance qu'il y avait entre les deux documents comme une autre bêtise de l'Administration. Il fit voir combien le Bas-Canada était maltraité dans la distribution des fonds généraux, signala les horreurs commises par les troupes de Colborne et rappela ce qui fut dit il y a peu de temps touchant la requête du Nord; que le temple de Dieu avait été réduit en cendres, qu'on avait détruit quantité de propriétés, pillé les gens, tout cela sous prétexte qu'ils étaient atteints de déloyauté parce qu'ils s'étaient opposés aux mauvais hommes qui étaient alors au pouvoir. Il ... ((demanda)) alors à M. Scott ... de le rectifier si ce qu'il avait dit n'était pas vrai, car M. Scott avait été lui-même dans son endroit un des chefs de cette opposition.<sup>154</sup>

M. Aylwin fut, à cette période de son discours, interrompu par quelqu'un de la droite qui l'accusa de dire des injures à M. Scott.<sup>155</sup>

M. SCOTT dit que M. Aylwin n'avait pas manqué à l'ordre et qu'il pouvait continuer.<sup>156</sup>

M. AYLWIN dit qu'on avait déjà avoué que le Bas-Canada avait droit à une indemnité pour les pertes essuyées dans les troubles. Il ne pouvait pas s'expliquer comment M. Papineau s'était décidé à proposer une appropriation pour le Haut-Canada aux dépens du Bas-Canada, et fit ressortir tout ce qu'il y avait de pernicieux et d'ineptie dans une pareille mesure.

Il administra une terrible leçon à M. le commissaire des terres qui a dû rougir de se voir ainsi si bien exposé. Il lui dit qu'il s'associait à un projet de spoliation vis-à-vis du Bas-Canada. Que le Bas-Canada avait apporté un surplus considerable de revenus, et pas un sou de dette, et que c'était déjà beaucoup trop d'avoir payé celles du Haut-Canada tombé en banqueroute, sans exposer encore le Bas-Canada à ce nouveau mauvais traitement de la part de M. Papineau et Cie. M. Aylwin termina son discours en disant qu'il ne paraissait pas même qu'on eût rien fait par cette mesure de l'administration pour rebâtir l'église de St. Eustache et la maison de M. Girouard entr'autres propriétés détruites sans l'ombre de raison. Bien loin de là, M. Viger et Cie, avaient repoussé, honteusement repoussé la petition des gens du Nord!<sup>157</sup>

M. PAPINEAU a ... ((expliqué)) sa mesure ... ajoutant que, selon lui, cette disposition des revenus consolidés étaient pour l'avantage respectif des deux parties de la province.... ((Il a dit)) - pour justifier l'exclusion du Bas-Canada de sa mesure, c'était qu'avant l'Union nous n'avions aucun gouvernement qui put constitutionnellement faire cette appropriation, que nos réclamations n'étaient pas constatées, mais que celles du Haut-Canada l'avaient été; que la législature y avait passé un acte portant ses réclamations à \$40,000. Puis il ... ((a accusé)) ... l'administration La Fontaine de n'avoir rien fait pour régler ces réclamations. Il dit qu'il se rappelait le débat qui eut lieu dans la dernière session, et prétendit que le ministère s'était rejeté sur le manque d'argent pour se défendre des accusations de l'opposition d'alors. M. Papineau ... dit que ce bill avait été imprimé et mis à la portée des membres<sup>158</sup>.

M. LAFONTAINE ... porta la parole ... en français, ensuite en anglais. Il trouvait très singulier qu'on fit tant d'efforts pour obtenir une indemnité en faveur de ceux qui ont souffert de la révolte dans le Haut-Canada, pendant qu'on négligeait le Bas-Canada qui avait aussi lui des titres à une indemnité pour les pertes qu'on avait fait subir à ses habitants pendant nos désastres. Il avait été étonné d'entendre le membre pour Ottawa s'appuyer pour justifier sa mesure sur une injustice criant qu'on avait fait au Bas-Canada. Cette injustice, c'était celle que nous avait faite le gouvernement anglais, et qui sera citée éternellement à son deshonneur, savoir: la destruction de la constitution du Bas-Canada, sous prétexte (sic) d'une insurrection partielle, pendant qu'on laissa toujours subsister la constitution du Haut-Canada où, aux mêmes époques, eut lieu aussi une révolte, et une révolte bien plus dangereuse pour la connexion britannique que celle du Bas-Canada. Les Franco-Canadiens avaient déjà pourtant avant l'Union prouvé leur loyauté en versant leur sang pour la défense de leur pays sous les étendards britanniques, et c'est à leur attachement que l'Angleterre doit aujourd'hui de posséder encore un pouce de terre dans l'Amérique Septentrionale. Cela put-il être nié? En 1812 ces mêmes Canadiens volèrent aux frontières et repoussèrent l'invasion du dehors avant que l'ennemi eut eu à peine le temps de fouler le sol Canadien. Dans le même temps le H. - Canada laissait prendre sa capitale! Les habitants du Bas-Canada seraient encore prêts sans aucun doute à

défendre leur pays contre l'agression étrangère, si elle est jamais tentée; mais leur loyauté ne fut pas récompensée par le gouvernement lorsqu'il suspendit leur constitution et imposa au Bas-Canada un acte sur lequel il ne daigna pas même le consulter.

M. LaFontaine donna ensuite l'historique de la question des réclamations du Haut-Canada relativement à sa rébellion. Il fit voir que l'acte passé par la législature ne pouvait pas, constitutionnellement et en justice, avoir l'effet de grever les revenus consolidés des £40,000 en question; que le Haut-Canada était alors en état de banqueroute ouverte, devant beaucoup plus qu'il ne pouvait payer; que sa législature n'avait pourvu à aucuns moyens pour payer cette somme, que c'était là en effet la grande difficulté de la question. On avait voté une somme sans pouvoir aux voies et moyens nécessaires. L'administration dont il avait fait partie ne pouvait pas être sujet au blâme de n'avoir rien fait sur le sujet, puisqu'elle n'était pas responsable des faits et omissions de la législature du Haut-Canada; mais que si elle eut été blâmable, la faute devait retomber surtout sur les administrations précédentes, et en particulier sur celle de lord Sydenham et en ce cas on ne pouvait concevoir que l'administration actuelle se permit de faire des reproches comme celui de l'hon. membre pour Ottawa, vu qu'elle comptait trois membres des administrations qui avaient précédé celle dont il avait lui M. Lafontaine fait partie. Qu'ainsi MM. Draper, Sherwood et Daly se trouvaient en contradiction avec eux-mêmes. Que l'assertion, que les réclamations du Haut-Canada sont constatées était erronée; ces réclamations n'ont jamais été constatées, la législature du Haut-Canada avait fait la chose à la hâte, en vue de l'union, et ne s'était arrêtée au chiffre de £10,000 qu'approximativement, sans rien constater. Ainsi tombaient les deux argumens du député d'Ottawa, les seules raisons en un mot alléguées par l'administration pour justifier la mesure.<sup>159</sup> ((He)) moved in amendment, that no compensation should be given to the sufferers by the rebellion in Upper Canada, until provision were made for the satisfaction of the Lower Canada rebellion claims.<sup>160</sup>

MR. ROBINSON said that if Mr. Lafontaine had reflected a little, he thought he would not have been induced to move this amendment, as no act was passed in Lower Canada authorising the payment of these claims as was done in the Upper Canada Legislature. He had not the slightest objection, nor had any one on the Ministerial side of the House to pay the claims of the Lower Canadians, when it was determined what sum would be requisite. Was any one prepared to say that £40,000 or £400,000 would be sufficient - the former sum will pay all the just claims in Upper Canada; and if any one would say the same thing respecting Lower Canada, he would be most happy to vote for it.<sup>161</sup>

MR. WATTS objected to the manner in which the motion was brought forward, as not straightforward. He did not approve of giving £40,000 to Lower Canada to induce it to allow Upper Canada to pay its just debts. It was in point of fact throwing away £40,000, for the money given to Lower Canada would be squandered away. He wished to see the amount taken



at once out of the Consolidated Fund.<sup>162</sup> ((He)) would vote against the amendment and the resolutions, if pushed immediately, and moved that the committee rise and ask leave to sit again.<sup>163</sup>

MR. BALDWIN had given this subject a great deal of attention, but failed to discover any satisfactory mode of paying these claims, and in the present instance did not find this proposition satisfactory. In the first place, he did not consider that the Parliament of Canada was pledged to pay £40,000; and for this reason, that at the time the vote passed, the Parliament was not prepared to make it good, and subsequent political events had made a great change in the Province. That was the view Lord Sydenham's Government had also taken of it, by refusing to charge it on the consolidated revenue of the Province; at the same time he was very far from saying that this debt should not be paid, for so far as he was concerned, he would willingly pay ten times the amount that will fall to his share: but then justice must be done to another section of the Province. What he complained of was that the hon. member for Ottawa did not make a full explanation of his project, when he brought in the bill. If the hon. gentleman had said that the Lower Canada claims were not to be paid, then he could have understood his intention clearly; and if he said that Upper Canada claims were alone to be paid, he could also have understood him, although he would not perhaps have been prepared to vote in favour of his motion, as it would be a piece of injustice to Lower Canada - He must confess he could not understand the intentions of the government. They seemed to consider this as being a debt on the revenues of the province; and, on the other hand, the very terms of the resolution repudiated that idea. If the government really looked upon this as a debt on the province, why did they not propose to have it paid out of the revenue. But no such thing. The resolution was evidently a repudiation of that idea, and he thought it was perfectly correct. Then, since that was the case, when the government came down with a proposition to pay the claims of one part of the province, they should have been prepared to do the same act of justice to Lower Canada; and he would never consent to a vote that would make so palpable a distinction between the two provinces. But a sort of compound provision seemed to be made first, that these Upper Canada claims shall be paid, and then to give up a large sum for local purposes to Lower Canada. To judge from that, he conceived that the government is prepared to make a permanent appropriation of this money for local purposes; and before he could consent to it, he would like to know if justice to the public creditor would permit such a step. The consideration of that brought him to another point, which is too much lost sight of. He meant the payment of the interest on the public debt, the whole of the money not being drawn as yet, but if it were, he feared there would be a very small balance indeed, after the payment of the interest. He certainly might be wrong, as he had not yet seen the accounts for 1844, and consequently was not aware of the amount of the revenue at present, but that was the question for them to consider; it was not whether the rebellion claims should be paid out of the tavern licences or not, but



whether they were prepared to give up to (sic) any part of the Provincial revenue without detriment to the public creditor.<sup>164</sup> He warned the House of getting into the difficulty that the adjoining States had got into by repudiating their debt.<sup>165</sup> For he trusted that it never will be said of Canada, that she repudiated her debts. (Hear, hear.)<sup>166</sup> He knew it was popular to give up the public revenue to the local bodies, but he would not to gain a little temporary popularity run the risk of getting into serious difficulty.<sup>167</sup> He was therefore averse to touching any of the revenue of the Province unless he saw clearly that there was nothing wrong. And the blame lay with the Administration that they did not make such a statement of public affairs as could induce him to vote for their proposition.<sup>168</sup>

MR. ((JAMES)) SMITH was glad to find that the objections were rather to matters of detail than to the principle of the proposition. As to the financial question he was happy he said to be able to assure the House that there would be no difficulty as there would be savings to a greater extent than the revenue proposed to be given up.... He talked a good deal of "an ideal scheme" to be founded on the resolution and ... he asserted, that the Tavern licence tax in Upper Canada had been applied to local purposes! ... The hon. member then referring to Lower Canada stated that nothing could be done in this matter without a commission! ... To use the hon. gentleman's own words the £40,000 act is only "an ideal scheme," without any basis for it whatever. Mr. Smith attempted to shew that the £40,000 was a charge on the Consol. Revenue by the Union Act.<sup>169</sup>

MR. ((HENRY)) SHERWOOD followed his colleague ... saying that his hon friend had not given the subject much consideration it was merely "an incidental opinion," whereas he (Mr. S.) had given it an immense deal of consideration and knew that the Royal assent had not been given to the U.C. act until after the Union.<sup>170</sup>

MR. MOFFATT supported the proposition to rise and report progress as he wanted to know explicitly what was to be done for L.C. before he went any further. He also concurred with Mr. Baldwin in not approving of the course of alienating a portion of the Con-Revenue Fund for local purposes.<sup>171</sup>

DR. DUNLOP thought that if the lands of John Montgomery who richly deserved the gallows, and others had been sold there would have been no occasion to come to this House for funds.<sup>172</sup>

M. LAFONTAINE demanda ensuite à M. Smith pourquoi, s'il était d'opinion que les £40,000 fesaient partie des consolidés, il n'avait pas demandé au gouverneur de signer un ordre pour les payer? car dans ce cas le bill de l'hon. membre pour Ottawa était parfaitement inutile? Il fit ensuite allusion à ce qu'on avait dit des dispositions du peuple du Haut-Canada à se taxer pour payer les frais de la rébellion; on avait parlé de taxes

additionnelles, mais en regardant à la mesure, il paraissait qu'on se contentait des vieilles licences déjà imposées. Belle disposition à se taxer! On faisait comme celui qui dit: "Faites ce que je vous dis, mais ne faites pas ce que je fais." Car en même temps qu'on ne se taxe pas soi-même, on veut taxer les autres; et n'est-ce pas en effet taxer le Bas-Canada que de payer le Haut-Canada seulement à même des revenus dont le Bas-Canada a fournie même plus beaucoup plus (sic) que la moitié, pendant qu'on laisse ses réclamations à l'état de simple expectative?

M. LaFontaine se rappelait que dans la session dernière l'opposition d'alors s'était servie de cette question pour attaquer les membres de l'administration, mais en le faisait surtout en insistant sur la nécessité de pouvoir aux "voies et moyens" pour payer l'indemnité. Que les membres de cette administration n'eurent pas de peine à faire voir que leur conduite était conséquente, et pouvaient citer à l'appui l'opinion des trois membres du ministère actuel auxquels il avait déjà fait allusion. Il fit voir que l'administration précédente avait sanctionné la nomination d'un comité spécial chargé de s'enquérir des meilleurs moyens à adopter pour régler l'indemnité, que ce comité avait été en effet organisé, mais qu'il n'avait pas fait (sic) rapport, la session ayant été close avant qu'il eut été en état de le faire. Il rappela ensuite à M. Moffatt qu'il était présent alors dans la chambre, et qu'il avait même suggéré de différer la question jusqu'à la présente session, afin qu'on put introduire une mesure générale pour liquider en même temps les réclamations du Bas-Canada.<sup>173</sup> He then corroborated Mr. Aylwin's statement that the bill had not been distributed<sup>174</sup>.

MR. PAPINEAU rose and admitted that he had been mistaken, that he found that the copies had all been sent to the members of the Executive Council.<sup>175</sup>

((M. LAFONTAINE reprit:)) Et dans cette session, comment l'administration a-t-elle reçu les pétitions qui ont été présentées de diverses parties du Bas-Canada? Comment a-t-on reçu en particulier celle présentée par l'hon. membre pour Verchères? celle de St. Eustache où une église a été brûlée? celle de Huntingdon? Toutes ont été repoussée! Mais admirez la consistance de cette administration. Pour justifier son refus, elle a dit, le procureur général l'a proclamé solennellement dans le débat sur la pétition de St. Eustache, qu'elle se proposait de régler toutes les réclamations relatives aux rebellions d'un seul coup par une mesure générale! Elle a rejeté quantité de demandes d'argent du Bas-Canada, et peut-être aurait-elle été justifiable de le faire, du moins momentanément faute de moyens, mais comment lui supposer aucune disposition favorable au Bas-Canada, lorsque d'un seul coup elle vote une somme aussi énorme que celle de £40,000 pour le seul avantage du Haut-Canada? Car, il ne faut pas s'y méprendre, c'est sur les fonds consolidés qu'elle la prendra aussitôt qu'elle le voudra dès que sa mesure aura passé.

M. LaFontaine termina en disant qu'il ne s'opposait pas à ce que l'indemnité réclamée par le Haut-Canada fut payée, mais tout ce qu'il demandait,

c'était qu'on en fit autant pour le Bas-Canada dont les réclamations étaient aussi constantes et justes. Il fit allusion à la commission qui fut nommée par ordonnance du conseil spécial et qui avait coûté au pays près de £3000. Il était peiné de voir l'exclusion du Bas-Canada. On n'avait pourtant que deux mots à changer au projet de M. Papineau pour en étendre les dispositions au Bas-Canada; il espérait qu'on ne refuserait pas de lui rendre cette justice, et dans ce but il ... ((avait proposé)) un amendement.<sup>176</sup>

MR. DRAPER ... yielded to the wishes of several of his friends and consented that the committee should rise, report progress and ask leave to sit again.<sup>177</sup>

(297)

*and after sometime spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Scott reported that the Committee had made some progress, and directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.*

*Duties on  
Customs.*

*Ordered, That the Order of the Day for the House in  
Committee to consider the expediency of repeal-  
ing certain Acts, imposing duties on Customs,*

*and for other purposes connected with the Revenue, and for enacting others in lieu thereof, be postponed until Friday next.*

*Ordered, That the remaining Orders of the Day be postponed until to-morrow.*

*Then, on motion of Mr. Macdonald, of Dundas,*

*The House adjourned.*

FOOTNOTES - 25 FEBRUARY 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 27 February, 1 March 1845, KINGSTON NEWS, 6 March 1845, BRITISH WHIG, 4 March 1845, copied from MONTREAL HERALD, KINGSTON CHRONICLE, 5 March 1845, GLOBE, 11 March 1845, in accounts identical in most respects except that the GAZETTE's report contains more speakers and is more detailed than the KINGSTON CHRONICLE's and the GLOBE's, and the BRITISH WHIG contains some speeches not found in any of the other accounts; PILOT, 26 February 1845; LE JOURNAL DE QUEBEC, 1 March 1845. LA MINERVE, 27 February 1845, L'AUREOLE, 27 February 1845, and the EXAMINER, 5 March 1845, noted the debate. BROCKVILLE RECORDER, 13 March 1845, copied a commentary drawn from the BANNER, 7 March 1845. LA REVUE CANADIENNE, 1 March 1845, also contained a commentary.
2. MONTREAL GAZETTE, 27 February 1845.
3. PILOT, 26 February 1845.
4. MONTREAL GAZETTE, 27 February 1845.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. BRITISH WHIG, 4 March 1845.
12. MONTREAL GAZETTE, 27 February 1845.
13. IBID.
14. BRITISH WHIG, 4 March 1845.
15. IBID.
16. MONTREAL GAZETTE, 27 February 1845.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. BRITISH WHIG, 4 March 1845.
23. IBID.
24. IBID.
25. MONTREAL GAZETTE, 27 February 1845.
26. IBID.
27. BRITISH WHIG, 4 March 1845.
28. MONTREAL GAZETTE, 27 February 1845.
29. IBID.
30. IBID., which noted: "Our reporter has taken great pains with Mr. Aylwin's speech; we are confident the Honourable gentleman will not dispute its fidelity; its style speaks for itself. We commend him to look at the reflection of his own mind in it reluti in speculo; the public will recognize the likeness, and judge of the original." According to the BRITISH WHIG, 4 March 1845, "Mr. Aylwin addressed the House for an hour and a half, in a rambling tiresome speech against the 'last of the Lords,' which we do not think our readers would care about reading."



31. MONTREAL GAZETTE, 27 February 1845.
32. IBID.
33. IBID.
34. IBID.
35. IBID., which reported that Prince rose "amidst a storm of disapprobation".
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. KINGSTON CHRONICLE, 5 March 1845, reproduced instead of the account in the MONTREAL GAZETTE, which is quite faded, making Colville's speech difficult to copy.
66. BRITISH WHIG, 4 March 1845.
67. KINGSTON CHRONICLE, 5 March 1845. See footnote 65.
68. BRITISH WHIG, 4 March 1845.
69. KINGSTON CHRONICLE, 5 March 1845. See footnote 65.
70. MONTREAL GAZETTE, 27 February 1845.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. BRITISH WHIG, 4 March 1845.

78. MONTREAL GAZETTE, 27 February 1845.
79. BRITISH WHIG, 4 March 1845.
80. MONTREAL GAZETTE, 27 February 1845.
81. BRITISH WHIG, 4 March 1845.
82. MONTREAL GAZETTE, 27 February 1845.
83. IBID.
84. BRITISH WHIG, 4 March 1845.
85. MONTREAL GAZETTE, 27 February 1845.
86. IBID.
87. BRITISH WHIG, 4 March 1845.
88. MONTREAL GAZETTE, 27 February 1845.
89. IBID. BRITISH WHIG, 4 March 1845, spells it "Tommy Cods."
90. BRITISH WHIG, 4 March 1845.
91. MONTREAL GAZETTE, 27 February 1845.
92. BRITISH WHIG, 4 March 1845.
93. MONTREAL GAZETTE, 27 February 1845.
94. BRITISH WHIG, 4 March 1845.
95. MONTREAL GAZETTE, 27 February 1845. BRITISH WHIG, 4 March 1845, reports instead "directing the Queen".
96. MONTREAL GAZETTE, 27 February 1845. BRITISH WHIG, 4 March 1845, has "a simple right" instead of "a single right".
97. MONTREAL GAZETTE, 27 February 1845.
98. IBID.
99. IBID.
100. PILOT, 26 February 1845.
101. MONTREAL GAZETTE, 27 February 1845.
102. IBID.
103. BRITISH WHIG, 4 March 1845.
104. MONTREAL GAZETTE, 27 February 1845.
105. BRITISH WHIG, 4 March 1845.
106. MONTREAL GAZETTE, 1 March 1845.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. BRITISH WHIG, 4 March 1845.
112. IBID.
113. MONTREAL GAZETTE, 1 March 1845.
114. BRITISH WHIG, 4 March 1845.
115. MONTREAL GAZETTE, 1 March 1845.
116. BRITISH WHIG, 4 March 1845.
117. MONTREAL GAZETTE, 1 March 1845.
118. BRITISH WHIG, 4 March 1845.
119. MONTREAL GAZETTE, 1 March 1845.
120. BRITISH WHIG, 4 March 1845.
121. MONTREAL GAZETTE, 1 March 1845.
122. BRITISH WHIG, 4 March 1845.
123. MONTREAL GAZETTE, 1 March 1845.
124. BRITISH WHIG, 4 March 1845.
125. MONTREAL GAZETTE, 1 March 1845.

126. IBID.
127. IBID.
128. IBID.
129. IBID.
130. IBID.
131. IBID.
132. IBID.
133. IBID.
134. IBID.
135. IBID.
136. IBID.
137. IBID.
138. IBID.
139. IBID.
140. IBID.
141. IBID.
142. IBID.
143. GLOBE, 11 March 1845.
144. The debate on this matter was reported by: GLOBE, 11 March 1845; MONTREAL GAZETTE, 1 March 1845, and KINGSTON NEWS, 6 March 1845, in identical accounts; PILOT, 26 February 1845; LA MINERVE, 3, 6 March 1845; and LE JOURNAL DE QUEBEC, 13 March 1845. The order of speakers in this debate was particularly difficult to establish. The accounts of it in the MONTREAL GAZETTE and the GLOBE dealt primarily with the Upper Canadian participants in the debate, merely noting that certain Lower Canadian speakers participated in the debate. The PILOT and the MINERVE, on the other hand, paid particular attention to the Lower Canadian speakers, merely noting the names of some Upper Canadians who had spoken. Furthermore, both papers condensed the contents of more than one speech given by a single speaker into one speech; as a result, in the case of the PILOT's and the MINERVE's report, LaFontaine referred to remarks made by other speakers reported as having spoken after him. For instance, he criticized and quoted from Sherwood's speech before Sherwood ever gave it. It has therefore been necessary to establish speaking order as much according to the substance of the speeches as to the order in which they were reported by the newspapers.
145. MONTREAL GAZETTE, 1 March 1845.
146. GLOBE, 11 March 1845. The ellipses in this paragraph represent words that are illegible in the newspaper.
147. GLOBE, 11 March 1845.
148. A commentary was contained in the GLOBE, 11 March 1845, which mistakenly attributed this speech to Mr. Hale instead of Mr. Hall.
149. MONTREAL GAZETTE, 1 March 1845.
150. GLOBE, 11 March 1845.
151. IBID.
152. LA MINERVE, 3 March 1845.
153. IBID.
154. IBID.

- 155. IBID.
- 156. IBID.
- 157. IBID.
- 158. IBID.
- 159. IBID.
- 160. GLOBE, 11 March 1845.
- 161. IBID.
- 162. MONTREAL GAZETTE, 1 March 1845.
- 163. GLOBE, 11 March 1845.
- 164. IBID.
- 165. PILOT, 26 February 1845.
- 166. GLOBE, 11 March 1845.
- 167. PILOT, 26 February 1845.
- 168. GLOBE, 11 March 1845.
- 169. PILOT, 26 February 1845.
- 170. IBID.
- 171. IBID.
- 172. IBID.
- 173. LA MINERVE, 6 March 1845.
- 174. PILOT, 26 February 1845.
- 175. IBID.
- 176. LA MINERVE, 6 March 1845.
- 177. PILOT, 26 February 1845.



WEDNESDAY, 26 FEBRUARY 1845.

(297)

Petitions  
brought up.

THE following Petitions were severally  
brought up and laid on the table:--

By Mr. Colville, the Petition of John Charters and others, of the  
village of St. Jean Chrysostome, in the county of Beauharnois.

By Mr. Macdonell, of Dundas, the Petition of James Grant and  
others, of the third concession of the township of Winchester, in the  
county of Dundas.

By Mr. Roblin, the Petition of George Shaw, of the city of Montreal.

(298)

By Mr. Macdonald, of Cornwall, the Petition of John Tait, of  
Cornwall; and the Petition of Charles A. Low, Esquire, and others, of  
the Eastern and Ottawa districts.

By Mr. Macdonald, of Kingston, the Petition of James Livingstone  
and others, Brewers, of the town of Kingston and its vicinity; the  
Petition of James Morton and others, Distillers, of the town of  
Kingston and its neighbourhood; and the Petition of Robert Pulsford  
and others, Shareholders of the Trust and Loan Company of Upper Canada.

Legal Proof of  
Marriages, &c.

An engrossed Bill to provide for the legal  
proof and preservation thereof of certain  
Marriages formerly had before Justices of the  
Peace in the late inferior district of Gaspé, Births, Baptisms, and  
Burials therein, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the said Bill to the Legislative  
Council, and desire their concurrence.

Montreal  
College of  
Medicine.

An engrossed Bill to incorporate the Montreal  
College of Medicine and Surgery, was read for  
the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Scott do carry the said Bill to the Legislative  
Council, and desire their concurrence.

Registry Laws,  
Upper Canada.

Pursuant to the Resolution of this House of  
the ninth of September, 1842, the engrossed Bill  
to alter and amend the Registry Laws of that part  
of this Province, which was formerly Upper Canada, was brought up to be

read for the third time.

Ordered, That the third reading of the said Bill be postponed until to-morrow.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Fleetwood Cubitt and others, members of the United Church of England and Ireland, in the townships of Darlington and Clarke, Canada West, praying for the repeal of the Common School Act, and the adoption of some system, under which religious instruction may be provided.

Of William Dampier and others, members of the Church of England, in the township of Shefford, Canada East; of the Reverend A. T. Whitten and others, members of the Church of England in the Mission of L'Acadie, county of Chamblé, in the diocese of Quebec; of the Reverend Charles Morris and others, of the county of Portneuf; and of the Reverend Richard Lonsdell and others, of Tingwick, praying that measures may be adopted for vesting in the Church Society, of the diocese of Quebec, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same, for the benefit of the said Church.

Of John Ostell and others, for and on behalf of the Mechanics' Institute, of Montreal, praying for an Act to incorporate the said institution.

Of John Dolson, Esquire, Warden, and others, of the Western district, praying for an aid to complete the "Tecumseth Road," in the said district.

Of F. Baby, Esquire, and others, of the Western district, praying that, should it be found necessary to levy an excise duty upon Stills and Breweries, it may be done in such a manner as not to injure those interested in the manufacture of spirituous liquors, or to encourage fraud or smuggling.

Of the Municipal Council of the district of Victoria, praying for certain amendments to the Common School Act.

Of the Municipal Council of the district of Victoria, praying that the expenses of the administration of justice in that district may be paid out of the Provincial Revenue.

Of the Municipal Council of the district of Victoria, praying for a grant to open a road from Madoc to the Madawaska River.

Of James Grant, of Martintown, in the county of Glengarry, praying that the free exercise of the elective franchise may be allowed to the

occupants of the Indian Reservation, situated between the counties of Glengarry and Stormont, in the Eastern district.

Of Thomas Brownlee and others, Pilots for and below the harbour of Quebec, praying for certain alterations in the Bill now before the Legislature, relating to the Corporation of the Trinity House of Quebec, and also in the Bill, to compel Pilots to qualify themselves for the duties of their calling.

Of George Douglas and others, of the district of Simcoe, praying that the Petition of William Rae and others, asking for the annexation of a certain portion of the township of West Gwillimbury to the Home district, may not be granted.

Of Thomas Scott, of the township of Burgess, in the district of Bathurst, Stone Mason, praying for a settlement of his claims for damages and work performed upon the St. Lawrence Canal.

Of John Chapman and others, occupants of Clergy Reserve Lands, in the township of Nassagaweya, in the district of Gore; and of George Easton and others, of the township of Nassagaweya, in the county of Halton, in the district of Gore, praying that no assignment of the Clergy Reserve Lands, as petitioned for, may be made, but that they may be disposed of in accordance with the Imperial Statute.

Of the Reverend David Dunkerly and others, of Deerham, Kirasey, and neighbouring townships, praying for aid to complete the road communicating between the city of Montreal and the Craig's Road.

Petitions  
referred.

J. Lemlin  
and others.

Ordered, That the Petition of Jacques Lemlin and others, inhabitants and proprietors of Steamers and other River Craft, residing in the county of Richelieu, be referred to the Select Committee, to which was referred the Bill, to amend and consolidate certain Laws, and an Ordinance now in force, relating to the powers and duties of the Corporation of the Trinity House of Montreal, to Pilots and Pilotage in the Port of Montreal, and to the Montreal Decayed Pilot Fund, and for other purposes, and other references.

E. Malloch,  
Esquire.

Sparks and others, of Bytown.

Ordered, That the Petition of Edward Malloch, Esquire, be referred to the Select Committee, to which was referred the Petition of N.

Election 3rd  
Riding York.

Mr. Berthelot, from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James

Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this morning, but were unable to proceed to business, in consequence of the absence of the Honourable Mr. Aylwin; they therefore adjourned for half-an-hour, at the expiration of which time they again met, and proceeded to business, the Honourable Mr. Aylwin being present.

(299)

Niagara New  
District Town.

Mr. Cummings, from the Select Committee, to which were referred the entries in the Journals of last Session, containing the Petition of the Municipal Council of the district of Niagara, upon the selection of a site for a new district Town; the Petition of John Harris and others, inhabitants of Grimbsy, and other townships in the district of Niagara; and the Report of the Select Committee, to which the same were referred, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

Mr. Speaker communicated to the House the following letters:--

CIVIL SECRETARY'S OFFICE,  
Montreal, 25th February, 1845.

SIR,

Prince Albert's  
reply to Ad-  
dress on birth  
of Prince Alfred.

I have the honour, by command of the Governor General, to deliver to you the enclosed letter which has been received from Her Majesty's Secretary of State, in reply to the Address presented by the Legislative Assembly to His Royal Highness, Prince Albert, during the present Session.

I have, &c.

(Signed,)

J. M. HIGGINSON.

The Honourable the Speaker  
of the Legislative Assembly,  
&c. &c. &c.

---

WINDSOR CASTLE,  
January 25, 1845.

SIR,

I am commanded, by His Royal Highness, Prince Albert, to return thanks to the Members of the House of Assembly of Canada, for their



Address of Congratulation upon the happy event of the birth of His Royal Highness, Prince Alfred.

I have, &c.

(Signed,)

G. E. ANSON.

Sir ALLAN N. MACNAB,  
Speaker.

Profanation of  
the Lord's  
Day.

Ordered, That Mr. Prince have leave to bring in a Bill to prevent the profanation of the Lord's day, commonly called "Sunday," in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,

Thurlow  
Grammar  
School.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct that there be laid before this House, copies

of all communications between Her Majesty's Government in this Province and the local authorities of the district of Victoria, respecting the Provincial allowance for the Thurlow additional Grammar School of that district, for the year 1844.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Estates vested  
in Ordnance  
Department.

Ordered, That Mr. Stewart, of Bytown, have leave to bring in a Bill to explain and amend part of an Act, passed in the seventh year of Her Majesty's reign, intituled, "An Act for

vesting in the principal officers of Her Majesty's Ordnance, the Estates and Property therein described; for granting certain powers to the said officers; and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

Commutation  
of Tenure.

Ordered, That Mr. Jobin and Mr. LeMoine be added to the Select Committee, to which was

referred the Bill the better to facilitate commutation of the Tenure en roture, in the Seigniories and Fiefs in Lower Canada, into that of Free and Common Soccage.

On motion of Mr. Powell, seconded by Mr. Thompson,

Light Houses.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to cause to be laid before this House, a statement in detail, exhibiting the respective disbursements, made under the Acts of the Parliament of Upper Canada, 3rd William IV., chapter 34, and 6th William IV., chapter 39, for the maintenance and support of Light Houses in the said Province, for the years 1833, '34, '35, '36 and '37, shewing the names of the respective parties receiving, from the Governor General or other persons, any and all such disbursements.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Daly, seconded by the Honourable Mr. Attorney General Smith,

Distribution of Laws.

Resolved, That this House will, on Friday next, resolve itself into a Committee of the whole House, to consider the expediency of repealing such Laws as may be now in force respecting the distribution of the printed copies of the Laws, and of substituting other provisions for the same purpose.

Rebellion Claims.

The Order of the Day for the House in Committee to consider the expediency of making provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by the Act of the Legislature of this Province, and relating to the payment of Claims arising out of the late Rebellion and Invasions of Upper Canada, and of appropriating the moneys arising from Tavern Licences for local purposes; applying such portion thereof as may belong to localities in Upper Canada, to the payment of the said claims, until the same be fully paid, or the money to be advanced to pay them be reimbursed to the Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the chair of the Committee,<sup>1</sup>

MR. PAPINEAU in bringing forward the Resolution of the previous evening, stated that in order to meet the views of gentlemen upon both sides of the House, that part which related to the giving of an equal sum to Lower Canada for District purposes was abandoned. And it was now

the intention of the Government, with the authority of the House, to issue a Commission to enquire into the losses sustained in Lower Canada; and when the Commission reported the Government would be prepared to bring forward a measure for their payment without further delay.<sup>2</sup>

MR. LAFONTAINE ((in French)) again urged ... the propriety of providing for the Lower Canada claims; he shewed that no accurate information existed as to the extent of the claims in Upper Canada any more than in Lower Canada - in fact that if anything there was less, as the Lower Canada claims had many of them been substantiated before a Commission, whereas the claims in Upper Canada had yet to be enquired into.<sup>3</sup>

M. PAPINEAU dit ... qu'il regrettait de n'être pas membre du barreau, car s'il l'était il aurait le talent de mettre toutes les choses en confusion. ... Il se vanta d'être plus logique que d'aller chercher "des midis à quatorze heures."<sup>4</sup> Je persiste dans ma première proposition; votre opposition n'est pas logique; vous parlez d'une chose quand il s'agit d'une autre. Il s'agit maintenant du Haut-Canada, et vous parlez du Bas-Canada. Occupons-nous de la question qui est maintenant devant la chambre, plutôt que de divaguer. Quand il s'agira du Bas-Canada, je serai à mon poste comme je le suis aujourd'hui. Il y a une loi, un statut du Haut-Canada, qui a son appui sur le revenu provincial; c'est une dette que nous sommes légalement obligés de payer. Il n'en est pas de même du Bas-Canada. Il n'y a pas de statut de cette province qui prescrive le paiement d'une pareille somme.<sup>5</sup> Il ((M. Papineau)) accusa M. LaFontaine d'avoir manqué aux règles parlementaires en faisant allusion aux débats qui avaient eu lieu dans une occasion précédente<sup>6</sup>.

MR. ROBINSON said, that the member for Terrebonne had exclaimed against the Administration because it had not before made arrangements for the purpose of paying the losses of Lower Canada. He would ask that gentleman if it was not perfectly consistent with the principles of Responsible Government for any gentleman on the other side to have done so? Why had not the late Administration during the two Sessions they had been in power done something in a matter in which they now appeared to take so great an interest?<sup>7</sup> Why did not they bring up some motion for their payment, during three sessions they were in power<sup>8</sup>?

MR. AYLWIN, "three sessions."<sup>9</sup>

((MR. ROBINSON resumed:)) Yes, or why did they not do it even now; for he was not such a stickler for Responsible Government, as some hon. gentlemen on the other side of the House<sup>10</sup> .

Opposition cheers<sup>11</sup> .

((MR. ROBINSON resumed:)) and could see no reason, why they should not be at liberty, if they choose to think that the government neglected the interests of Lower Canada to bring the measure forward themselves. (Cheers.)<sup>12</sup> Had the House shown a disposition to enter into this subject, the Ministers would have met it cordially.<sup>13</sup> That however was not their object, for they not only refused to pay their own claims, but refused to allow the Upper Canadians to pay theirs.<sup>14</sup>

Cheers from the Ministerial Benches.<sup>15</sup>

((MR. ROBINSON continued:)) He was confident that there was more liberality on this side of the House. (Cheers.) Did they think that if the government had neglected to take up this question, did the Opposition think for a moment that the hon. member for Essex would allow it to lie over?<sup>16</sup> Would he not have brought it forward himself?<sup>17</sup>

COLONEL PRINCE, - "Yes I would."<sup>18</sup>

((MR. ROBINSON resumed:)) And if they thought the Lower Canada interests neglected let them move in the matter themselves; he was sure that there would not be the slightest objection from the Ministerial Benches. (Hear, hear.)<sup>19</sup>

MR. AYLWIN - You will have more misfortunes before you are done with it.<sup>20</sup>

((MR. ROBINSON continued:)) The motion before the House was one to carry out an existing law, and the opposition with which it had been made (sic), was most unfair. I am not a young man, but I confess that I am young in Responsible Government; and if, sir, it prevents an independant (sic) member from moving in a matter of this kind, I will have none of it. A great deal had been said about £. s. and pence, - if the members for Lower Canada would give their constituents a little more of these, instead of their long speeches it would be much better for them. He had been taunted with not having read all the papers in his office; he confessed that he had not, and if members considered the short time he had been in office, they would not find it as very extraordinary. The Bill passed by the Legislature of Upper Canada, to which this resolution was to give effect, went to the extent of £40,000 only, and if that sum were not sufficient to pay the whole of the losses, the people of Upper Canada were ready and willing to tax themselves directly to make up the difference. - (Cheers). As to what had been said about the ways and means, he begged to tell hon. gentlemen that they were ample to pay the whole sum at once, if it was necessary; and that they would find if they would refer to the accounts laid upon the table. If this appropriation would be to the prejudice of the public creditor, he should hesitate; but it was not to be supposed that there would be a falling off in the future revenue, the course of the province was onward, and they might reasonably suppose that the revenue would go on increasing year after year, and that the province would have ample



means to meet all its just debts.<sup>21</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, before proceeding to answer the remarks of the member for Terrebonne, he would explain the course which the government intended to pursue. It was its intention to issue a commission to enquire into the losses sustained in Lower Canada in the same manner as had been done in Upper Canada; and when that commission had ascertained the amount to lay their report before the House and to solicit the support of the House in a measure for its payment. That was the course it intended to take, and he believed there was no better one. It was not fair for the House to ask the administration what scheme it intended to take for the payment of those losses before their amount was known. If there were a limit to them, the administration would have been prepared to have gone into the question this session. But when they knew from report how great the amount of losses in Lower Canada was, it was not reasonable for the government to ask the House to pledge itself to the payment of an uncertain and indefinite amount. It was not fair to charge the administration with a neglect of duty and an abandonment of the interests of Lower Canada before the initiative had been taken in this matter and it had some solid grounds to act upon. He knew this was only the usual style of declamation made use of by the opposition; they heard of nothing but the sacrifice of one portion of the province to the other. But he knew that this was only the alarm sounded by the skilful general who led the troops that followed blindfold after him.<sup>22</sup>

MR. JOBIN called the hon. gentleman to order; such remarks were an imputation upon members on that side.<sup>23</sup>

The Attorney General ((MR. J. SMITH)) did not wish to state anything offensive; perhaps they followed him with their eyes open. Hon. members must be aware that a certain degree of latitude must be allowed, the member for Terrebonne had had his and a large share of it too. He had overlooked the subject in debate altogether, as was his usual course, and flying off at a tangent rate, had attacked the gentlemen sitting upon the Treasury benches. Allusion had been made to the influence of the member for Montreal with the Government. He acknowledged that the influence of that gentleman was great and deservedly great. - (Cheers). The member for Terrebonne had then flown off to attack his hon. friend who had brought in this motion, because he had remained quiet for three weeks, and then introduced it in the same shape as he had at first proposed doing. If that hon. gentleman instead of accusing ministers with breaking faith with the people and sacrificing one part of the Province to the other would show them how this measure could be compassed it would be better and he would find them willing to meet favourably any just and equitable measure. That hon. gentleman exercised a paternal care over the administration, and in doing so trespassed on the province of the member for the Fourth Riding of York, who was the father of Responsible Government. All the attacks made upon

the present administration and that of 1841 had but one object, and that was to conceal and cloak the neglect of the Government of 1842 and 43 in not bringing this subject up. But the attempt was useless, if it was incumbent upon the present administration to take up this matter, it was equally incumbent upon their predecessors to have done so - (Cheers) - but because it had been hitherto neglected it was no argument that the present administration should not do its duty.<sup>24</sup> Cheers.<sup>25</sup> Allusions had been made to the legal opinions which he had given in that House; these opinions were few, and he had no occasion to blush for them. There might be errors of judgment, all men were liable to such; but the opinions which he had given, he was prepared to vindicate. The first which he would vindicate was the one which he had given upon the subject now before the House. The Act of Union was passed in July, 1840, and by that act it became lawful for Her Majesty, by the proclamation of the Governor General, to declare the Union of the two Provinces. Although that Act was passed in July, 1840, it did not become a law until the proclamation was issued in 1841. By the 22nd section of the Union Act, it was provided that the Constitutional Act of 1791, should be the law of the land, until the Union Act came into force; four months before the proclamation ((was)) issued, the Rebellion Losses Bill of Upper Canada received the Royal assent, and the sum of £40,000 became charged upon the revenue of Upper Canada. By the 55th section of the Union Act it was provided that all charges existing, at the time of its coming into force, upon the revenue of Upper Canada, were to be chargeable as debts upon the consolidated revenue. Therefore, the Administration instead of being accused of sacrificing Lower to Upper Canada, ought to receive the thanks of the Lower Province for the manner in which it wished to make the appropriation, for they might have taken it, the sum of £40,000 out of the consolidated revenue, without giving any compensation to the Lower Province. This was sufficient to show that there was no wish to sacrifice their interests. The member for Terrebonne when he made that accusation did not believe it.<sup>26</sup>

MR. AYLWIN rose to order - The hon. gentleman had no right to cast such an imputation upon his hon. friend.<sup>27</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD rose to order, he did not consider it an imputation upon this side of the House, when he accused it of wishing to sacrifice Lower Canada.<sup>28</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH resumed - in reference to the claims of the Lower Province, for the losses incurred during the troubles, he would say that he was a native and he felt for those losses as strongly as any one; he knew that there were thousands who had been plunged into want and misery in consequence of not receiving the indemnity which they had a right to expect from the country. But the question was one of considerable difficulty, the losses were of a

different nature from those of Upper Canada, some were chargeable upon the Imperial Government and others upon the funds of the Province; but that was no reason why those which could be should not be settled. In Upper Canada, the appropriation had been restricted to £40,000 and the sanction of the legislature had been obtained for the payment of that sum, and so far the question was terminated. If such a pledge existed here, for the same or double that amount, he would be prepared to stretch every nerve to provide means for its payment.<sup>29</sup> What possible injury could arise to Lower Canada by delaying this question for twelve months, until they had before them the report of the commissioners, &c., particularly as he had given a pledge that ways and means should be provided for that purpose? What was there to prevent them from voting for this resolution, which was so earnestly desired by the members for Upper Canada, and would sweep from the Statute book that claim on the Province, which would ever be a reproach as long as it remained unsatisfied?<sup>30</sup>

MR. SMALL was opposed to the Resolution, as it was a partial measure. He wished to see the Upper and Lower Canadian claims satisfied at the same time. He would also bring to the notice of the Government the position of the families of those unfortunate wretches who threw off their allegiance, and whom he thought to be as worthy of commiseration (sic) as any other class of sufferers. (Loud laughter.)<sup>31</sup>

((MR. HALL)) said, "this beats cockfighting."<sup>32</sup>

MR. AYLWIN called the hon. member for Northumberland<sup>33</sup> -

MR. HALL - No: for Peterborough<sup>34</sup> .

((MR. AYLWIN resumed:)) Well he called the hon. member for Peterborough to order. That hon. member had made use of unparliamentary expressions: he said, "this beats cockfighting." He would like to know if the Chairman would keep the hon. member in order. If not, other means must be resorted to.<sup>35</sup>

The Chairman (MR. CAUCHON) did not comprehend the force of the expression to which the hon. member for Quebec alluded. He should certainly have called the hon. member for Peterborough to order, if he had thought he transgressed parliamentary rules.<sup>36</sup>

MR. HALL expressed himself as being under great obligations to the hon. member for Quebec; and requested to be informed what means were to be employed to keep him in order. Perhaps when the hon. gentleman said "other means" he alluded to something out of the House.<sup>37</sup>

MR.((ROLLAND)) MACDONALD (Cornwall) was convinced that it was imperative on the Colony to pay the Upper Canada losses, and it was very unfair for hon. members opposite to attempt to prevent them from

paying their own debts with their own money.<sup>38</sup> These claims (which he wished to see paid) should be liquidated by those who had led the people into rebellion. "Some of these persons," said Mr. M'Donald, "are not far off: they are to be found on the other side of the House, and I could name if necessary."<sup>39</sup>

This led to great uproar from the opposition benches, who challenged the honorable gentleman to "name."<sup>40</sup>

"Let the bonnets bleus du nord, answer the question," replied the speaker ((MR. ROLLAND MACDONALD)).<sup>41</sup> It came very ill from Lower Canadian members to charge the Government with an attempt to sacrifice the interests of the Lower Province, when those same members under the old state of things, put a poll tax of a dollar a head on the poor emigrants before they would allow them to pass through the Province.<sup>42</sup> And he confessed, he was somewhat puzzled by the logic of the Hon. member for the North Riding of York, who would not consent to pay £40,000 out of the tavern licences, but would willingly pay £80,000 or £160,000, if need be. So far from decreasing the public security, as feared by that Honourable Member, in his opinion every debt that was paid off put the public debtor in a better position, in the same way as between two individuals. If he had a mortgage on another man's estate, he would feel in a better position at every debt that was paid off the estate. He would advert to the great length of this debate, before sitting down. This was the second night on which it was carried on, and he could not approve of the very discursive manner in which it had been treated. Hon. Members on the other side made it a regular practice to make long speeches, no matter what came up, and presently they will tell everyone about them. "Oh! the Parliament sat for months, and nothing was done by the Government." (Hear, hear.) And what was the reason nothing was done? It was because they were prevented from passing their measures through the House, by the long speeches of the Hon. member for Quebec. (Hear, hear.)<sup>43</sup>

MR. AYLWIN called the Hon. Gentleman to order. A personal allusion was made to him.--<sup>44</sup>

((MR. ROLLAND MACDONALD)): Yes -<sup>45</sup>

((MR. AYLWIN resumed:)) and the Hon. member was out of order in doing so.<sup>46</sup>

MR. ((ROLLAND)) MACDONALD continued - Surely the Hon. member did not deny that he made long speeches, and some of them very able, but they might very well be compressed into half an hour. He would propose that every member should be restricted to half an hour at the outside, but as for three or four hours, - it was too much, and those who spoke



for that length of time must avail themselves of a great deal of nonsense, - (hear, hear,) - as he had himself done in long-winded affairs.<sup>47</sup>

MR. ROBLIN hoped the House would in future abstain from recriminations and personal allusions. What has happened has happened, and let bygones be bygones ... for the sooner past circumstances were forgotten, so much the better would it be for Canada. He had seen a great deal of political life and a great deal of legislation, but he never before saw anything like the scenes which have taken place during the last four weeks. With regard to the question itself, he was prepared to vote in favour of the resolution on the table, and the sooner it was out of the way the better; as it invariably caused anger and recrimination whenever it was brought up.<sup>48</sup>

MR. DEWITT rose to set the House right about the poll tax on emigrants. It was not one dollar or two dollars, but about three shillings, which was levied on the emigrants, to put it in the power of the Government to convey the poorer class of them to Upper Canada. So far were the Lower Canadians from wishing to discourage emigration, that they gave it every encouragement in their power. He contended that there had been losses to both parts of the province, and if an investigation were undertaken of those in the Upper part of it, why should it not be made also in the Lower? Why should it be put off for another year there? He was not one of those who would withdraw his support to any useful measure proposed by gentlemen on the other side of the House, merely because he was opposed to their policy; but the Ministry should understand it was their business to be attacked - they were to stand on the defensive - not to attack others. The Attorney General had told the house that he would do justice to Lower Canada next year; but did the Hon. gentleman forget the saying, "Who can tell what a day may bring forth?" and who can tell what a year may bring forth? Perhaps the Hon. gentleman may then find himself elsewhere; perhaps there will be another Minister who will not be so liberal in his views as the Hon. Member, and entertaining views opposed to his. In that case, this £40,000 will have been paid to these claimants in Upper Canada for whiskey and so forth, while claims of a far more sacred character will be passed over, while the inhabitants of St. Eustache and St. Benoit will have, perhaps, to go into a barn to worship their Maker. He was well acquainted with the schemes of gentlemen on the other side of the House; he knew their tricks well - perhaps there was not a man more up to them than himself; but he would not then go into that part of the subject; and he would say to the Hon. member for Cornwall, who had taken a liberty with him, that he would take a liberty in his turn - he would not answer him.<sup>49</sup>

MR. AYLWIN reproche à l'administration ... de n'avoir rien fait pour racheter ses bévues, quoique le précédent débat les lui ses eût révélées; qu'on la trouvait encore plus en faute. Mais cela ne devait

surprendre personne. Les circonstances qui se ratachaient à M. D. B. Papineau et au ministère dont lui et un autre Franco-canadien faisaient partie, sont telles que jamais le Bas-Canada ne pourra les sanctionner pas sa confiance. Il rappela l'opposition factieuse que le dernier ministère essuya constamment de la part du parti qui se targue aujourd'hui d'être dans l'ascendant, d'une opposition dont plusieurs membres font actuellement partie de l'administration, malgré que le dernier ministère eût l'appui du Bas aussi bien que du Haut-Canada. L'administration suivait aujourd'hui l'exemple de certains membres de l'opposition de ce temps là. On criait alors, chaque fois que le ministère introduisait quelque bill, on criait que "nos institutions" étaient menacées, que l'Union ne pourrait pas réussir, qu'on introduisait des mesures séparées pour chaque partie de la province. Toutes ces misérables criailleries de la petite opposition d'alors furent répétées incessamment par la presse oligarchique de Montréal, il était fier de dire qu'elles ne l'avaient pas encore été par celle de Québec, car alors il n'y avait pas encore eu de défection dans la presse de Québec, on n'avait pas encore été mis à l'épreuve des faveurs du nouvel ordre de choses. Ce qui n'étaient que des criailleries dans ce temps-là, sont aujourd'hui des faits de la part de l'administration. Son parti s'était opposé fortement, entr'autres, au bill dit des sociétés secrètes, et une des raisons alléguées alors contre cette mesure, c'était qu'une grande partie du peuple du Haut-Canada y était opposée, que l'administration ne pourrait le faire passer que par une mince majorité des membres de la chambre d'assemblée, et que ce n'était pas avec une majorité de 8 ou 9 des représentans du Haut-Canada que l'administration voudrait lui imposer la mesure. M. Aylwin trouvait on ne peut plus singulier qu'on eut oublié ces reproches, sur lesquels pourtant on s'était donné l'air de bâser (sic) une politique de principes. Que le ministère avait eu la bonhomie de croire que l'opposition d'alors s'imposait des règles de conduite pour elle comme pour les autres; aujourd'hui on voit qu'elle n'avait eu recours qu'à des expédiens. M. Aylwin ne pouvait comprendre que ceux qui avaient été les premiers à reprocher à la dernière administration de législater séparément pour les deux sections de la province, d'introduire une mesure pour le Bas-Canada, puis une mesure pour le Haut-Canada, eussent pu se décider à suivre cet exemple; que tout récemment néanmoins ils avaient, à une majorité d'un ou deux, réjeté le bill de M. LaFontaine tendant à améliorer notre loi d'élection, et une des principales raisons sur lesquelles on s'appuya était que le bill ne s'appliquait qu'au Bas-Canada; on entendit jusqu'au procureur-général Smith parler alors d'assimiler les deux provinces et dire qu'il était opposé au bill sur le principe qu'il fallait législater pour toute la province à la fois. Sur la question même de l'indemnité pour les pertes de la rebellion, à propos de la requête des gens de St. Eustache, on entendit M. Gowan s'y opposer sur le principe qu'il était contraire à une législation partielle. L'administration elle-même voulut excuser son injuste et arbitraire opposition à la mesure sous le vain et mensonger prétexte

qu'elle devait en introduire une générale pour régler toutes les réclamations à la fois; et aujourd'hui lorsqu'on veut rendre générale la mesure partielle de M. Papineau, Viger et Cie, lorsqu'on veut en profiter pour le Bas-Canada, le parti de la droite aurait déjà perdu de vue ses engagements! Ses protestations passeront pour ce qu'elles valent. M. Aylwin ne pouvait pas s'expliquer la distinction qu'on voulait faire maintenant. Que la rébellion avait eu lieu en même temps dans le Haut et le Bas Canada; que celle du Haut-Canada avait été la pire puisqu'elle avait été l'oeuvre des origines britanniques seulement; tandis que dans le Bas-Canada, des descendants de Français avaient pu se laisser séduire, ainsi que cela a été reconnu par de grands politiques en Angleterre, parce que les Canadiens-français avaient leur langue à conserver. Ainsi s'il y avait une préférence à donner, ce n'était pas les traîtres anglo-saxons qui la méritaient. M. Aylwin dit qu'il avait pu voir de ses propres yeux les traces des boulets sur le front de l'église de St. Eustache; que le feu y avait été mis après coup. Que Colborne avait laissé ses troupes se porter à des excès inouïs, et qu'on n'aurait jamais tolérés dans un pays ennemi. Que les populations qui avaient eu droit à leur protection en avaient cependant reçu les plus mauvais traitements, que les troupes les avaient pillées, volées, avaient commis le meurtre (sic), et des crimes dont l'idée fait frissonner (sic) d'horreur. Le régiment qui s'était le plus mal comporté avait enfin reçu, de la justice divine, la punition qu'il méritait dans la métropole, puisqu'il était, soldats et officiers, descendu si bas aux yeux de l'armée, que leurs compagnons d'armes les fuyaient partout, cela quoique le colonel de ce régiment fut le propre fils du duc de Wellington. M. Aylwin s'appliqua aussi à réfuter les prétentions émises par M. Smith et autres, que le bill passé depuis l'Union avait eu l'effet de mettre le premier en force, et rappela que ce bill avait passé sans opposition et presque inaperçu sur l'assurance qu'on avait donné qu'il se bornait au simple fait de la création de commissaires pour constater les réclamations du Haut-Canada.<sup>50</sup>

In the course of his observations he referred to some of the claims proffered to the Government of Upper Canada ... ((such as)) the following one from Statement and Valuation of Property belonging to George Auldjo, of Montreal plundered or destroyed in consequence of the capture and burning of the steamer Sir Robert Peel, within the territory of the American Government, on the morning of the 30th of May 1838:

	£.	s.	d.
A new portmanteau,	5	10	0
A suit of black clothes,	12	10	0
A superfine great coat,	7	0	0
A do cloth coat,	9	0	0
Shirts, stockings, pocket handkerchiefs, stocks (sic), gloves, boots and shoes, and other articles of wearing apparel, of the estimated value of	35	0	0

	£	s.	d.
Hat box, containg hat and cap,	5	10	0
Gold seals, rings and trinkets,	32	0	0
Printed books,	14	0	0
A bundle of papers in the aforesaid portmanteau, belonging to an insolvent estate, their value <u>difficult</u> to be estimated in money,	500	0	0
A trunk containing wearing apparel and books of my son, John Richardson Auldjo, as per inventory herewith, estimated at	30	0	0
Money in bank bills, loose and contained in money letter,	1118	0	0
Promissory notes, cash bons (sic), and other securities for the payment of money	1483	0	0
A silk umbrella,	1	7	6
	£3,252	17	6

I do hereby certify that as far as I can at present estimate the loss that has arisen to me in consequence of the loss of papers and property by the capture and burning of the Sir Robert Peel steamer, within the territory of the American Government, on the morning of the 30th May, 1838, I would not be compensated by the payment of a sum less than three thousand two hundred and fifty-two pounds seventeen shillings and sixpence, Halifax currency.

(Signed)

George Auldjo.

Toronto, U. C., 13th June 1838.<sup>51</sup>

Il demanda pourquoi le gouvernement ne fesait pas rebâtir l'église de St. Eustache? que cela se passait sous une administration qui avait Messieurs Papineau et Viger à la tête; de M. Viger qui fut trainé comme un traître en prison où le gouvernement le retint pendant 18 mois! Et cependant leurs alliés du jour avaient été les premiers à accuser M. LaFontaine d'avoir dit sérieusement que M. Viger avancerait £30,000 pour armer les bonnets bleus du nord, quoiqu'on sache très bien qu'il n'était pas homme à avancer 30,000 pence.<sup>52</sup>

On rit aux éclats dans toute la gauche.<sup>53</sup>

((M. AYLWIN continua:)) Que l'on avait donné comme une raison sérieuse pour faire passer le bill, qu'il fallait un précédent que le Bas-Canada put invoquer en sa faveur pour ses propres réclamations. Comment donc! et ensuite on le paierait de la plus belle grâce du



monde. La dernière administration avait pour principe de ne pas faire de largesse avant d'avoir payé ses créanciers. Les intérêts de la dette énorme dont le Haut-Canada avait grévé la province absorbaient déjà une bonne partie des revenus. Qu'on a voulu jeter de la poudre aux yeux au moyen de deux noms franco-canadiens; qu'on avait fait valoir 50 ans de services de ...<sup>54</sup> -

M. Aylwin fut alors appelé à l'ordre par l'orateur ((SIR ALLAN MACNAB))<sup>55</sup> .

MR. AYLWIN refusa de procéder disant qu'il avait été privé de son droit.<sup>56</sup>

MR. MURNEY inquired of the Minister, whether it was intended to pay those claims of which he had spoken last night?<sup>57</sup>

MR. DRAPER said that the Bill before the House was intended to grant the appropriation of a sum of money to pay all just claims for losses sustained in Upper Canada owing to the rebellion. Now, it was a question of fact, whether the claims spoken of by the Hon. Member for Hastings did arise in consequence of those troubles. He did not think that losses arising from the act of unknown incendiaries could be admitted to have any claim for compensation from the country.<sup>58</sup>

MR. SCOTT was of opinion that all claims, of which the justice could be established, should be paid; but he would have very much preferred to have paid them out of the consolidated fund, and paid immediately. He also was of opinion that justice ought to be done to Lower Canada; but if it were not so done, was that a reason why he should refuse it to Upper Canada? The hon. member for Cornwall had reprobated the troubles which he said were inflicted on the country by the bonnets bleus du nord; but he would tell the hon. gentleman that those troubles would never have occurred but for the intervention of strangers, who had irritated and exasperated those people.<sup>59</sup>

MR. LAFONTAINE who was absent at the time Mr Macdonald was speaking, afterwards (on the allusion to himself being incidentally referred to) asked that gentleman whether he alluded to him.<sup>60</sup>

MR. ((ROLLAND)) MACDONALD (Cornwall) said that he had only remarked in answer to what the hon. member for the East Riding of York had said of the consideration due to those people - that consideration was certainly due to them, but that that consideration ought to have come from those who had misled them.<sup>61</sup> ((He)) repeated what he had said about "les bonnets bleus du nord."<sup>62</sup>

MR. LAFONTAINE. - Do you allude to me?<sup>63</sup>

MR. ((ROLLAND)) MACDONALD (Cornwall) would repeat it if it were wished - he thought the people were entitled to consideration but he

thought the consideration should come from those who had misled them. He thought the hon. member would understand it.<sup>64</sup>

MR. LAFONTAINE sat down.<sup>65</sup>

MR. AYLWIN. - He alludes to Mr. Viger, the President of the Council, who was to furnish the money.<sup>66</sup>

MR. SCOTT in continuation, referred to the cruelties, which he said had been inflicted upon the country around St. Eustache and St. Benoit; upon the march from which places, many of the houses of the habitans were burnt, merely because they were said to be suspected of disloyalty, notwithstanding the white flag which was exhibited at St. Benoit; the church was burnt, and even the houses of the poor widow, who had provided Sir John Colborne with his breakfast. Colonel Maitland had particularly distinguished himself in these scenes, whether by the orders of Sir John Colborne or not, he could not say; but at any rate Sir John Colborne had not had the manliness either to reprove or to avow Col. Maitland's acts. In St. Eustache there were two widows with each a daughter, all their property was burnt, but when they made application to the commissioners for indemnity, they were sent to the right about. Other individuals on the contrary, were remunerated to an extent which far exceeded any property they had possessed. While he should support the measure, he certainly did not see why there should be one measure for Upper Canada and another for Lower Canada.<sup>67</sup>

MR. GOWAN did not intend to have opened his lips upon this subject, at all events, not at this stage of the proceedings, and after the full discussion which had already taken place; but after the violent and uncalled for attack which had been made by the gentleman who had just taken his seat, upon an absent individual - an individual not only ennobled by the Sovereign, but ennobled by the virtues, public and private, of his character - he meant the noble and gallant Lord Seaton -<sup>68</sup>

Here the hon. member's voice was drowned by the loudest derisive cheers from the Opposition<sup>69</sup>.

((These)) were again and again responded to by cheers from the Ministerial benches.<sup>70</sup>

((MR. GOWAN resumed:)) Yes, he would repeat, notwithstanding the sneers and the frowns of hon. gentlemen on the other side, that the name of Colborne was one to be loved and respected in this country. He (Mr. G.) was under no compliment to that distinguished nobleman - he had received no favor at his hands; he was now distant from this land, and would, probably never see it again; but he felt it his duty, when he heard him so unjustly assailed, and that, too, in his absence, to stand forward in his defence, to deny the justice of the accusations,

and to assert that no man possessed a keener sense of justice, a more truly benevolent disposition, or in whose blood flowed more freely the milk of human kindness. - (Hear, hear.) But the hon. members on the other side were not only not content with pouring out torrents of their abuse on the head of the noble lord now absent from this Province; but they must also abuse the loyal and gallant volunteers. - (Hear, hear.) The honorable member for East York, (Mr. Small), had stated his conviction, that it was the widows and children of the deluded men who were implicated in the rebellion, that were entitled to compensation rather than the brave militia of the Province. It was perhaps consistent with the usual course pursued by that hon. member! Yes, he in the exuberance of his justice, would pour into the lap of those who had caused the rebellion, and take from those who had prevented it, or rather who had put it down! Such was the hon. members justice! But he had done with the member for East York, himself or his justice needed no further remark. The member for Quebec (Aylwin) had stigmatized the loyal volunteers as drunkards<sup>71</sup>.

Here, MR. AYLWIN interrupted the speaker and called him to order<sup>72</sup>. The hon. member was putting words into his mouth which he had never made use of, he would appeal to the house if any thing he had said could bear the meaning forced upon it by the hon. member for Leeds.<sup>73</sup>

Much interruption and explanation took place between MR. GOWAN and some of the opposition members.<sup>74</sup>

MR. GOWAN, in continuation said, perhaps the gentleman from Quebec did not exactly call them drunkards, as such an opprobrious term might be too justly applicable at home, to be parted with by the member for Quebec to others! - (Hear, hear). But if he did not call them drunkards, he sneeringly alluded to their claims for whiskey destroyed.<sup>75</sup>

Yes, by MR. AYLWIN.<sup>76</sup>

((MR. GOWAN resumed:)) He was glad to hear the gentleman from Quebec say yes, because it reminded him of some friends seated near the hon. gentleman, who had large claims for distilleries - (Loud Cries of hear, hear.) But, he, Mr. G., supposed that as the loyalists were not to be paid for their whiskey, because they defended the country, the honourable gentleman's friend, (Dr. Wolfred Nelson), must be paid for his distillery, because he headed the rebels! Such was the sense of justice which the member for Quebec entertained! And as it was so nearly allied to that of the member for East York, and as both gentlemen had been so long Her Majesty's Solicitors General, he thought it a pity they should be separated, and he therefore allowed their justice to go with these persons, as both were so unique and so valuable - (Loud laughter.) He would now say a few words to the member for Two Mountains (Mr. Scott.) That member had drawn a feeling picture of the state of St. Eustache when in the hands of Her Majesty's troops; his sympathies were strongly excited for its inhabitants; but he had no sympathy for others! He had forgotten the sufferings endured by the

people of the Eastern Townships! He had forgotten that there was such a place as the Beech Riding! That there were such names as Vosburg, or Gibson, or Walker! aye, or even as Wier (sic) ! He felt for the women of St. Benoit, but he had no feeling for the women of the Eastern Frontier who were driven from their beds in the depths of the coldest winter nights, by the pikes and the shots of the assassins, or the firebrand and the torch of the incendiary!--(Loud cries of hear.) His bowels yearned over the cannon - rattled (sic) towers of St. Eustache Church, from the inside of which the Queen's troops were defied; but his tears of compassion dried up before he reached the Methodist Chapel of Odelltown, whose bullet-riddled walls afforded shelter to the small but gallant band who were not the Queen's paid troops, but Her Majesty's Volunteer Guards. And if the towers of St. Eustache Church were shaken by the iron shower that assailed them, or if its walls were illuminated in the murky night by the lurid flame of its smouldering ruins, who, he would ask, was the cause? If the people of St. Eustache thought fit to convert their Temple of Religion into a Military Fortress, and if in that fortress they set the Majesty of England at defiance, they must be prepared to take the consequences which their own temerity had brought upon them. - (Hear, hear.) The clemency of the Government had been such that even the Rebels, whose treason had brought all the mischief, and loss and suffering upon the country, had been pardoned, but they had also had their properties, which had been forfeited to the Crown, restored. Let them then be content; but let them not try to set up their claims - their claims forsooth! - No Sir, they had no claim at any time, except a claim of a different description; and they never can have a claim of any description so long as a single loyalist remains unrewarded. He was sorry to occupy so much time, he had not intended to have opened his lips upon the subject, and he would now close, by saying that he viewed the losses of Upper and Lower Canada as essentially different. In the one Province the losses were sustained by Foreign Invasion, in the other by Domestic Insurrection. Again in the Upper Province, the losses had been ascertained by Commissioners, and legalized by Act of Parliament; in the Lower such a course had not yet been taken - and again, the losses in the Upper Province had been suffered, while the country had a constitutional form of government, and was subject to the civil authority, while in the Lower, the civil constitution had been suspended, and Martial Law proclaimed in the disturbed districts. There was in fact no analogy between the two cases. He would nevertheless pay all the just citizens in both sections of the Province - he would place both on an equal footing, that is, he would pay the loyalist for his losses, but he would not consent to reward the rebel for his treason.<sup>77</sup>

MR. AYLWIN ((asked Col. Prince)) whether an anxiety had not been shown by the late Government to meet these claims<sup>78</sup> .

((COL. PRINCE)) replied "No - they had shown no honest, genuine intention to do so." The hon. gentleman contrasted their conduct in



this respect with that of the present Ministry, who, on his bringing the subject before them, had at once said it should meet with their instantaneous attention, and who had found out a practical way to do so.<sup>79</sup> Col. Prince was by no means convinced of the justice of the amendment of the hon. member for Terrebonne. He did not see why the people of Upper Canada who had an act of their own Parliament, sanctioned by that of United Canada, why they should wait until the claims of Lower Canada are settled. The arguments of the other side of the House on this subject appeared to him to be completely victorious over those of his own side.<sup>80</sup>

M. WATTS ... était d'opinion que la dette aurait dû être payée sur la caisse militaire de la métropole, car c'étaient des pertes de la guerre.<sup>81</sup>

MR. MOFFATT ... said, as we understood, that the ministry had pledged itself to take the same course in Lower Canada, which they now proposed to adopt in Upper Canada, and had said that during the recess they would institute an enquiry, and come down with a fair proposal for that part of the Province. Their conduct was at least so far satisfactory, and he would therefore vote for the original motion, though he would prefer that the amount should be paid out of the surplus revenue, but all which he would now contend for, was that these claims should be fairly investigated.<sup>82</sup>

MR. LAFONTAINE had read it, and it was an ordinance which authorised payments in certain cases.<sup>83</sup>

MR. MOFFATT continued - there the hon. gentleman and myself are at issue, the order merely appointed commissioners for the purpose of inquiry, so that the hon. gentleman must be in error in supposing that the Special Council had ordered the payment of any money.<sup>84</sup>

MR. JOHN SANDFIELD MACDONALD (Glengary) amidst loud cries of question, went over the causes which had given rise to the troubles in Lower Canada.<sup>85</sup> He read several extracts from Lord Durham's Report.<sup>86</sup> He then argued that the loss in Upper Canada ought to be repaired by the British Government, because they (sic) were not caused by civil commotion, but by the invasions of people from the United States. He maintained that the British Government ought to obtain redress from that of America. He therefore moved in amendment that all the words after expedient be struck out from the motion, and the following be inserted, "that a humble Address be presented to her Majesty, to inform her that during the invasion of Upper Canada by bands of foreigners from the United States, many of her Majesty's loyal subjects sustained losses by the destruction of their dwellings

and other buildings, for which the sufferers have hitherto received no compensation; and to pray Her Majesty would be pleased to recommend Parliament to take these claims into consideration." He also wished to remark before he sat down, that the amount of these claims should be ascertained before any money was voted.<sup>87</sup>

MR. MERRITT opposed the Government proposition on the ground that<sup>88</sup> the motion did not involve merely the £40,000 or the losses in Lower Canada.<sup>89</sup> The tavern licence fund ought to be given up to the municipalities in Upper Canada to defray the administration of justice expenses. This, he said, would be a just arrangement, whereas if we took this fund to pay the rebellion losses we would admit the principle of paying the Lower Canada losses, and place ourselves in a false position.<sup>90</sup> There was no doubt the sum ought to be paid, but how? He was ((not)) in favour of appropriating the proceeds of tavern licenses in Upper and Lower Canada for the purpose.<sup>91</sup> He was willing to give up the tavern licences and other sectional revenue to the various Districts, and then to place a direct tax on the people of Upper Canada to pay the losses.<sup>92</sup> He thought each section of the Province should tax itself directly for the payment of the debt. The cities of Montreal and Quebec and the Lower Province generally, had hitherto profited much more by the expenditure in the Upper Province than had itself.<sup>93</sup>

DR. DUNLOP said, that he was forcibly reminded by the present debate, of the Irish drummer who was flogging a soldier; the man continued to cry out strike low; till at last the drummer lost all patience and exclaimed d--n you, there's no pleasing you. Now it was much the same with the hon. member of that House; one wanted this tax one way, and another, another; but he (Dr. Dunlop) was only anxious to have the money. The hon. member had said, that Great Britain must be applied to over and over again, till she paid this debt, but was the country to wait till the next generation, or the next after that, while Great Britain was considering the propriety of paying it? He thought the Union of the two Provinces was a sort of benefit society, and that they were bound mutually to support each other. In conclusion, he would repeat what he had said last evening. Let justice be done to Upper Canada, and that would be no bar, but on the contrary, the highest argument for doing justice to Lower Canada.<sup>94</sup>

M. VIGER se prononça formellement en faveur de l'opinion, que les £40,000 ne pouvaient pas être à la charge des revenus consolidés.<sup>95</sup>

The House then divided ... on Mr. MacDonald's (Glengary) amendment - Ayes 35; Nays 43.<sup>96</sup>

On Mr. LaFontaine's amendment - Ayes 35; Nays 43.<sup>97</sup>

On the original motion - Ayes 43; Nays, 31.<sup>98</sup>

(299)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cauchon, reported that the Committee had come to a resolution, which resolution he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

(300)

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER.

British and  
Canadian  
School So-  
ciety Quebec.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the British and Canadian School Society of the district of Quebec," without any amendment.

Also,

Harris'  
Divorce.

The Legislative Council have passed the Bill, intituled, "An Act to dissolve the marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned," to which they desire the concurrence of the Assembly.

Also,

LEGISLATIVE COUNCIL,  
Tuesday, 25th February, 1845.

French  
Language.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have agreed to the Address to Her Majesty, on the subject of the French Language, by filling up the blank with "Legislative Council and the."

Attest,

CHARLES DELERY  
Clerk Assistant Legislative Council.

And also,

LEGISLATIVE COUNCIL,  
Tuesday, 25th February, 1845.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have passed the accompanying Address to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to the Queen, on the subject of the French Language, to Her Majesty's Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne, to which they desire the concurrence of the Legislative Assembly.

Attest,

CHARLES DELERY,  
Clerk Assistant Legislative Council.

The Address is as follows:--

To His Excellency the Right Honourable Sir CHARLES THEOPHILUS, Baron METCALFE, of Fernhill, in the County of Berks, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:--

We, Her Majesty's dutiful and loyal subjects, the Legislative Council of Canada, in Provincial Parliament assembled, beg leave to approach Your Excellency with our respectful request, that you will be pleased to transmit our joint Address on the subject of the French Language, in such way as Your Excellency may deem fit, in order that the same may be laid at the foot of the Throne.

R. E. CARON,  
Speaker.

LEGISLATIVE COUNCIL,  
Tuesday, 25th February, 1845.

And then he withdrew.

Harris'  
Divorce.

An engrossed Bill from the Legislative Council, intituled, "An Act to dissolve the marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned:" was read for the first time.



Marriage Li-  
cense Fee  
Fund.

*The Order of the Day for the House in Committee on the Report of the Select Committee to which was referred the Bill, relating to the fund, formerly known as the "Marriage License Fee Fund;" to fix the fees hereafter to be taken on marriage licenses; and to provide for the regular payment thereof into the Public Treasury, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Ermatinger took the chair of the Committee,*<sup>99</sup>

MR. CHRISTIE brought in the Bill as reported by the Select Committee.<sup>100</sup>

MR. DRAPER said he did not regard the question then before the House as at all political, nor did he bring to its consideration any of the those feelings with which political subjects are usually met; he approached the question as one of a purely ecclesiastical nature, and viewing it as he did he thought that the propriety of legislating upon it was very questionable. He found by the report of the committee that they did not enquire into the origin of the power to grant marriage licenses and that they state that they did not think it necessary to do so. Now, he (Mr. Draper) thought that the whole lay in what the committee had not enquired into; he thought it indispensable to shew whence came the power in order to understand how far an appropriation of the fund arising from it by an Act of the Provincial Parliament is justifiable. He (Mr. Draper) found after a diligent search that the origin of Marriage Licenses is to be found exclusively in ecclesiastical institutions. A Marriage License was not a dispensation from any religious obligation, but from certain regulations of discipline, - certain forms, the publication of banns, which were ((in)) England before the reformation solely under the control of the church and which are now exercised in Canada, in this very city, precisely as they were then in England; that is they are enforced or dispensed by the Bishops of the Church of Rome and the revenue derived from the dispensing power belongs to and is alone appropriated by those Bishops. The only difference that (he Mr. Draper) could trace in the character of this dispensing power in England now from that in which it appeared before the Reformation is the transferring of it at the time of the Reformation from the Bishops to Henry the Eighth and from that period it has been exercised by the Church of England. It is true that recent changes have been made in the law in England, that offices for the registration of Marriages have been established; but no change has taken place in this Country and no statute of Upper Canada directly or indirectly authorizes Marriages contrary to the canon law, and it has been questioned that the Churches of England and Rome in this Country have each the right to celebrate Marriage according to their own regulations. The law mentioned

no Church, but it has ever been assumed that the Clergy of these Churches are entitled to the exercise of their respective powers. The Clergy of the Church of Rome have the right by solemn guarantee, and that of the Church of England is so clear that in all the disputes which have occurred in this Country it has never been questioned. But he (Mr. Draper) thought if the bill now before the House passed into law, it might give rise to a doubt as to whether the marriage license was a power belonging to the Church of England; and consequently whether a marriage celebrated under such a license was valid or not. He (Mr. Draper) did not mean to say that the legal validity of such a marriage could be doubted or questioned, but he thought and he feared that if the Legislature would take upon itself to decide positively that the right of granting marriage licenses was under its controul that then scrupulous people who have availed themselves of a license regarding it as emanating purely from their Church; that these people in such case might begin to ask themselves whether all is right - whether their children stand in the right position, and whether a law to remove all doubts as to past marriages may not be necessary. It was therefore that he (Mr. Draper) begged the hon. member for Gaspé to pause before he carried out a scheme so calculated to give pain and alarm; he (Mr. Draper) as a member of the Church of England would say, leave us alone as you do others; and he would appeal to other hon. members not to allow an interference with his Church which he (Mr. Draper) would assist them in resisting if attempted against their Church; - the Churches of England and Rome derive not their powers from Provincial statutes, and therefore can no Provincial statute rightly interfere with their powers, and he (Mr. Draper) would ask members of the latter Church, will you allow infringements on my rights as a member of the Church of England which are not contemplated against you. He (Mr. Draper) would repeat that an ecclesiastical right is trenched upon by this bill, - a principle is touched, a doubt is thrown upon a right of the Church of England which may be most unhappy in its effects; he would then ask the committee to stop till, at least, full enquiry had been made, and not to proceed upon a report which sets out by saying that no attempt was made to trace the origin of this right. If after ample enquiry it can be shewn that the marriage licence fund is a matter of revenue, then he (Mr. Draper) would willingly admit that it was properly and justly a subject of legislation.<sup>101</sup>

MR. CHRISTIE replied that if it were shown him that the bill before the House would infringe upon the rights of the Church of England he would be the last man to press it, and it was because the bill aimed at nothing of the kind that he had introduced it and would persist in it. In reference to what had been said about enquiry into the origin of the marriage license fund he (Mr. Christie) would say that he was satisfied that the right course had been pursued. The committee were not historians and had but to deal with facts; they found that the fund in question had always been used by the Government, and by its favorites

and minions, and in no instance was it used or claimed by the church; they found licenses granted through the hands of persons of all religious denominations and, nothing was more glaring or abominable than the plunder which was practised. The hon. member then referred to the evidence in the report<sup>102</sup>. The first enactment relative to ... ((the fund)) was a legislative ordinance in 1788, which authorized the fee of 20s to be taken by the Governor, which, however, to his credit be it said, he never received. Since that, it has been increased in Lower Canada to 40s; and, after a variety of deductions, it appeared that a very small portion went into the Treasury. There were some parts of the Province in which the price of a licence varied from 30s to £5, it being entirely at the will of the gentleman who distributes them to charge what he pleases. The first witness examined by the Committee was Mr. Samson. He said that he had no authority but his own for the fees taken, but that he had followed the example of his predecessor. He had never demanded more than the fees so fixed, but that he usually received 5s for the bond. He was also asked if he could suggest any improvement in the mode of distribution, to which he replied, that he believed the mode now adopted to be a very good one, as far as practicability was concerned; he could suggest no better so long as the present system exists. The next witness was a gentleman in the office of his friend the Provincial Secretary. He transacted the business connected with the distribution of licences, and his evidence went to show, that last year there had been 2,000 distributed in Upper Canada, and 400 in Lower Canada. Now, that was probably something above the average; but taking them at 1,500 at 30s each, it would form a sum of upwards of £12,000. Since the Union, this gentleman had instructed the distributors in Upper Canada to charge 30s, of which they remit 20s. In Lower Canada they charge 40s, and retain 5s. Now, he wished to call the attention of gentlemen who talked about this being an ecclesiastical fee to the fact, that in Lower Canada the distributors are all clergymen, and 6s is the miserable allowance they get for all the trouble and anxieties of their office.<sup>103</sup>

MR. WILLIAMS was opposed to this Bill, as it would place the Church of England on a lower footing than the Church of Rome. The plan that he would propose would be, that the Provincial Secretary should send a certain number of marriage licences to agents, who would distribute them and keep an account. So many licences sold to Church of England, so many to Presbyterians, to Methodists, &c., and when his supply of licences was out get a fresh one. The proceeds to be left either at the disposal of the Crown, as at present, or else surrendered to the Clergy of the different denominations. But he never would consent to it being incorporated as a part of the Consolidated Revenue, whilst the proceeds of the licences of the Church of Rome was (sic) left at its own disposal. (Hear!) The right of the Church of Rome was inalienable. So also was the right of the Church of England. (Hear!)<sup>104</sup>

MR. BALDWIN said that the objection urged by the hon. and learned member for London that the committee did not enquire into the history of the Marriage License fund was not well founded. He (Mr. Baldwin) thought that in this particular the committee had taken the most judicious course because finding these fees a part of the revenue of the Crown de facto at the time of the passing of the Union act it could have answered no practical purpose to have entered upon such an enquiry. He (Mr. Baldwin) was surprised to hear it said that because the Marriage fund was derived from ecclesiastical fees it could not be considered a part of the revenue. Is it not well known that the revenues of the Crown consist of several branches and among those are ecclesiastical branches, so that a fund is not less a part of the public revenue because it is of an ecclesiastical character? This being a well known principle he (Mr. Baldwin) did not see how any doubt could exist as to the fund in question belonging legitimately to the public revenue of the County. Then arises the question does it come within the revenue surrendered by the Union Act; he (Mr. Baldwin) thought that nothing could be clearer than that it did. The Union Act said "that during the time for which the said several sums of £45,000 and £30,000 are severally payable the same shall be accepted and taken by Her Majesty by way of Civil List instead of all territorial and other revenues now at the disposal of the Crown arising in either of the said Provinces" which terms "territorial and other revenues now at the disposal of the Crown" occur no less than three times in the same section, and no one could pretend that these fees were not in fact "at the disposal of the Crown;" they were so then and had been so from the earliest times down to the passing of that act, they were always received through the Governor, were alluded to in several statutes of Upper Canada and were from the time they were first levied down to the passing of the Union Act applied to various purposes of Government; they were in fact like all other items of the revenue at the disposal of the Crown.<sup>105</sup>

No from MR. MOFFATT.<sup>106</sup>

The hon. member for Montreal says no (resumed MR. BALDWIN) he would like to know from that hon. gentleman in what light he regarded the appropriation to Mr. Daly, (no response) if that was not a proof that the fees were at the "disposal of Crown" he (Mr. Baldwin) knew nothing of the subject. He would also ask did not the Imperial Parliament know of the disputes which had raged in this Country upon this and other topics connected with the revenue? Were not our difficulties upon these points well known? And can it therefore be supposed that this would be except(ed) by the Union Act and left as a nest egg to induce perpetual contention. He (Mr. Baldwin) could not believe this; he believed these fees belonged obviously to the "other revenues" mentioned in the Union Act; and he could not admit the ingenious, the very fine drawn construction of the honourable and learned Attorney General. But the hon. Attorney General admits that some licenses are legally granted out of the Church.<sup>107</sup>



Yes from MR. DRAPER.<sup>108</sup>

((MR. BALDWIN resumed:)) Well then why not release those who receive such licenses from the scandalous imposition which according to the evidence contained in the report of the committee are (sic) practised upon them; this is the purpose of the bill, it interferes not with the right of Bishops, and therefore did he (... Mr. Baldwin) claim the vote of the honourable and learned Attorney General. He (Mr. Baldwin) could not help noticing the new doctrine broached upon this subject by the Attorney General West, differing so much as it did from the opinion of the Attorney General East. The latter gentleman contended upon a former occasion that the fund in question was the "perquisite of the Governor General either as Governor or Head of the Church." But now we hear from the hon. Attorney General West that as a general principle it belongs to the Bishops. Now, from this latter view of the case it follows that all the Protestant denominations are found to pay to the Bishops of the Church of England.<sup>109</sup>

No, from MR. DRAPER.<sup>110</sup>

Well then (continued MR. BALDWIN) if this be not the principle sought to be established why not bring in a bill to divide the fund among the several denominations who may contribute towards it? But to this appropriation he (Mr. Baldwin) could not now promise his assent; he did not think the Country could afford to lose any of its present revenue, and this opinion he would not relinquish till the Government produced satisfactory proof to the contrary. He was also decidedly against admitting the claim of the Church to this fund; she never before claimed it, it never belonged to her and if it did she forfeited it by non user; for 80 years it had been used by the Government for purposes corrupt and otherwise, and during that period the church never advanced the slightest claim to it; now, however, when it is proposed to use it openly and honestly as a part of the public revenue she attempts to put her grasp upon it; this he (Mr. Baldwin) could not allow, and would therefore support the bill before the House.<sup>111</sup>

MR. ((ROLLAND)) MACDONALD (Cornwall) said, that he regretted that the House was called on to legislate upon this matter, because he found that the consequence might be the loss of the revenue at present derived by the Province from the sale of marriage licences. The Hon. Member for Gaspé had said that there was a great outcry in the country against this tax. He (Mr. M'D) denied that statement; he said that there was no tax in the country that was paid so cheerfully. He (Mr. M'D) had himself paid that tax, and he would assure the committee (sic) with most perfect truth, that he had never paid a tax with so much pleasure. (Cheers!); and he would appeal to every Honourable Member of the Crown (of whom he saw many around him), who had the honor to pay the same tax to say whether they had ever paid out a sum of money with greater satisfaction. (Great cheering!) He would record his

vote against the Bill, but if the House was determined to legislate upon the subject then, he would vote that equal justice should be done to all denominations of Christians in the Province, and that as the amount paid by the Roman Catholic portion of our fellow subjects for such licences went to the support of their church, so likewise all sums paid by the members of other churches should go to the support of the Clergy of the church to which they respectively belonged, and then the consequence would be that the sum now realized from this source would be lost to the Province. Should this motion, however, not succeed, then he would still be for putting all churches on an equal footing, and he would vote that the sums now paid by Roman Catholics to their own Clergy for their licences should also go the Provincial Revenue. This proposition he had no doubt a considerable portion of the House could not consent to; then if they did not wish to bring about such a contingency, let them vote against the Bill, which he considered to be a most unnecessary and uncalled for piece of legislation.<sup>112</sup>

MR. JOHNSTON, MR. COLVILLE and DR. DUNLOP, spoke briefly against the bill.<sup>113</sup>

MR. WILLIAMS said that it was indisputed (sic) that the grossest abuses occurred in connection with this fund; and he also contended that the House had the full right to legislate upon such a matter. In England similar legislation occurred, and he (Mr. Williams) would be obliged to support the present bill, if the Hon. Attorney General did not promise to bring in a measure to dispose of the fund among the different sects who paid for licenses.<sup>114</sup>

To this the Attorney General ((MR. DRAPER)) made no audible reply but addressed something to Mr. Williams from his chair.<sup>115</sup>

MR. PRICE said he thought the only question at issue was how is the fund to be appropriated. In 1843 it was appropriated as additions to the salaries of the Secretaries of the Provinces, since that the present Governor General has given it up as a part of the consolidated revenue of the country. This being the case, it being clearly a part of the public revenue, he (Mr. Price) thought that hon. member for Gaspé was perfectly right in bringing in a bill to regulate it for the future. He (Mr. Price) would protest against the doctrine of the Hon. Attorney General West that this fund belonged exclusively to the Church of England, she never had it, never claimed it, why then should it be asserted to be her's now. He regretted that this discussion was necessary, it stirred up religious feeling, and he should be glad to see such a settlement of the question as would prevent a recurrence of such a debate; Canada should not be behind England, in that country the establishment of registry offices for marriages has recently been sanctioned by law and the Bishops of the Church of England assisted in carrying the law. He (Mr. Price) should like then to see the Hon. Attorney General East bring in a similar measure into this House<sup>116</sup> ,

registering all Marriages in compliance with the regulations provided by law, and thus completing the civil contract and securing the record of all Marriages in each locality. A small fee one tenth perhaps of the license fee would suffice for this. There would no longer be any necessity for the publication of banns unless in the case of members of churches requiring such publication. The authorities of those Churches might grant licenses dispensing with such publications under their own regulations and the fees would be an ecclesasical (sic) revenue applicable to their own purposes.<sup>117</sup>

MR. AYLWIN spoke next ... in favour of the bill<sup>118</sup>. ((11)) a dit au ministère ((Mr. Draper)): ou la réponse du gouverneur inscrite sur le journal de la chambre, réponse qui fait dire à Son Excellence que les deniers provenant des licences de mariages ne peuvent être appliqués à quoique ce soit que par un acte de la législature, est sa réponse propre, ou le nom "C. Metcalfe" qui la termine est une fausse signature: alors M. Daly en est responsable, si c'est là sa véritable signature, ou Son Excellence a changé d'opinion à cet égard, ou il y a antagonisme entre lui et ses ministres. S'il a changé d'opinion et qu'il n'y a pas antagonisme entre eux et lui, que ne viennent-ils pas déclarer, ou que Son Excellence a été induit en erreur, ou qu'il a changé d'opinion. Avant cela l'administration ne peut pas s'opposer à une mesure de la nature du bill de M. Christie.<sup>119</sup>

MR. DRAPER delivered a short reply.<sup>120</sup>

The House divided: the numbers were - Ayes 23; Nays 23.<sup>121</sup>

The Chairman ((MR. ERMATINGER)) gave his casting vote in favour of the bill.<sup>122</sup>

(300)

and after some time spent therein,

Mr. Speaker resumed the chair.

The Honourable Mr. Daly, rose in his place, and acquainted Mr. Speaker and the House, that His Excellency, the Governor General, will receive this House with its Address to-morrow, at half-past three o'clock, P. M., at the Government House.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Macdonald, of Dundas,

The House adjourned.

FOOTNOTES - 26 February 1845.

1. The debate on this matter was reported by: PILOT, 28 February 1845, whose account was copied by BROCKVILLE RECORDER, 6 March 1845; LA MINERVE, 6 March 1845, whose account was copied by LE JOURNAL DE QUEBEC, 13 March 1845; GLOBE, 11 March 1845, MONTREAL GAZETTE, 1 March 1845, and KINGSTON NEWS, 6 March 1845, copied from MONTREAL COURIER, in accounts which contain some identical speeches and some which are completely dissimilar; and LE JOURNAL DE QUEBEC, 8 March 1845. Where selections are taken from those speeches which are identically reported in the GLOBE and MONTREAL GAZETTE, the GLOBE is transcribed whenever the MONTREAL GAZETTE is very difficult to read.
2. MONTREAL GAZETTE, 1 March 1845.
3. PILOT, 28 February 1845. According to GLOBE, LaFontaine spoke "at great length".
4. LA MINERVE, 6 March 1845.
5. LE JOURNAL DE QUEBEC, 8 March 1845.
6. LA MINERVE, 6 March 1845.
7. MONTREAL GAZETTE, 1 March 1845.
8. GLOBE, 11 March 1845.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. MONTREAL GAZETTE, 1 March 1845.
14. GLOBE, 11 March 1845.
15. IBID.
16. IBID.
17. MONTREAL GAZETTE, 1 March 1845.
18. IBID.
19. GLOBE, 11 March 1845.
20. IBID.
21. MONTREAL GAZETTE, 1 March 1845.
22. IBID.
23. IBID.
24. IBID.
25. GLOBE, 11 March 1845.
26. MONTREAL GAZETTE, 1 March 1845.
27. IBID.
28. IBID.
29. IBID.
30. GLOBE, 11 March 1845.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.



39. KINGSTON NEWS, 6 March 1845.
40. IBID.
41. IBID.
42. GLOBE, 11 March 1845.
43. MONTREAL GAZETTE, 1 March 1845.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. GLOBE, 11 March 1845.
49. MONTREAL GAZETTE, 1 March 1845.
50. LA MINERVE, 6 March 1845.
51. PILOT, 28 February 1845, which reported that Aylwin gave several examples of this nature, adding that "Some of these items were received with shouts of laughter from both sides of the House." The PILOT also mentioned that Mr. George Auldjo was "very well known" in Montreal.
52. LA MINERVE, 6 March 1845.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. MONTREAL GAZETTE, 1 March 1845.
58. IBID.
59. GLOBE, 11 March 1845.
60. KINGSTON NEWS, 6 March 1845.
61. GLOBE, 11 March 1845.
62. KINGSTON NEWS, 6 March 1845.
63. IBID.
64. GLOBE, 11 March 1845.
65. KINGSTON NEWS, 6 March 1845.
66. IBID.
67. GLOBE, 11 March 1845. The PILOT noted that Scott spoke "at length".
68. MONTREAL GAZETTE, 1 March 1845.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. GLOBE, 11 March 1845.
74. MONTREAL GAZETTE, 1 March 1845.
75. IBID.
76. IBID.
77. IBID.
78. KINGSTON NEWS, 6 March 1845.
79. IBID.
80. GLOBE, 11 March 1845.
81. LA MINERVE, 6 March 1845.
82. GLOBE, 11 March 1845, which added that Moffatt "spoke rather in a low tone."
83. GLOBE, 11 March 1845.

84. IBID.
85. IBID.
86. PILOT, 28 February 1845.
87. GLOBE, 11 March 1845.
88. PILOT, 28 February 1845.
89. MONTREAL GAZETTE, 1 March 1845.
90. PILOT, 28 February 1845.
91. MONTREAL GAZETTE, 1 March 1845.
92. PILOT, 28 February 1845.
93. MONTREAL GAZETTE, 1 March 1845.
94. GLOBE, 11 March 1845. The MONTREAL GAZETTE, 1 March 1845, noted that Dunlop spoke "at considerable length against the 'scheme' of the sage Member for Glengarry."
95. LA MINERVE, 6 March 1845.
96. GLOBE, 11 March 1845.
97. IBID.
98. IBID.
99. The debate on this matter was reported by: MONTREAL GAZETTE, 1 March 1845, and KINGSTON NEWS, 6 March 1845, both copied from MONTREAL TIMES, 28 February 1845; KINGSTON NEWS, 6 March 1845, copied from MONTREAL COURIER; PILOT, 28 February 1845, whose account was copied by BROCKVILLE RECORDER, 6 March 1845, and the KINGSTON CHRONICLE, 5 March 1845, in identical accounts; LA MINERVE, 6 March 1845; and LE JOURNAL DE QUEBEC, 6 March 1845.
100. MONTREAL GAZETTE, 1 March 1845.
101. PILOT, 28 February 1845. LE JOURNAL DE QUEBEC, 6 March 1845, noted that Draper spoke "avec une singulière facilité et une singulière prudence; et son langage est toujours poli et cordial. Il ne saurait offenser personne....."
102. PILOT, 28 February 1845.
103. MONTREAL GAZETTE, 1 March 1845.
104. IBID.
105. PILOT, 28 February 1845.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.
112. MONTREAL GAZETTE, 1 March 1845.
113. PILOT, 28 February 1845.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. LE JOURNAL DE QUEBEC, 6 March 1845.
120. PILOT, 28 February 1845.
121. MONTREAL GAZETTE, 1 March 1845.
122. IBID.

THURSDAY, 27 FEBRUARY 1845.

(300)

THE Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker three Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:--

METCALFE.

Prince Alfred. The Governor General transmits, for the information of the Legislative Assembly, the copy of a Despatch which has been received from Her Majesty's Secretary of State, in reply to the Address of the Assembly to the Queen on the birth of His Royal Highness Prince Alfred.

GOVERNMENT HOUSE,  
Montreal, February 7, 1845.

(Copy.)  
No. 335.

DOWNING STREET,  
26th January, 1845.

MY LORD,

I have laid before the Queen the Address to Her Majesty on the birth of H. R. H. Prince Alfred, adopted by the House of Assembly of Canada, in their present Session, and inclosed in your Lordship's Despatch, No. 195, of the 27th ultimo.

I have received Her Majesty's commands to instruct you to assure the House of Assembly, that Her Majesty has received with much gratification this renewed expression of the attachment of that House to Her Majesty's person, and of their sympathy with Her Majesty's feelings.

(301)

I have transmitted to Prince Albert the Address to His Royal Highness, which was also inclosed in your Despatch.

I have, &c.

(Signed,) STANLEY.

The Right Honourable  
The Lord METCALFE, G.C.B.  
&c. &c. &c.

---

METCALFE.

Aid to Persons  
transported for  
High Treason.

The Governor General transmits, for the information of the Legislative Assembly, the copy of a Despatch from Her Majesty's Secretary of State, in reference to an Address from the Assembly to the Governor General, expressing their gratitude to Her Majesty for having graciously pardoned several of the persons who were transported for High Treason, and praying His intervention with Her Majesty's Government to obtain for such of them as have not the requisite funds, the means of returning to their homes.

GOVERNMENT HOUSE,  
Montreal, 25th February, 1845.

---

(Copy.)  
No. 341

DOWNING STREET,  
3d February, 1845.

MY LORD,

I have received your Lordship's Despatch of the 24th December, No. 188, communicating to me an Address which had been presented to you by the Legislative Assembly of Canada, expressing the gratitude of that House to Her Majesty for having graciously pardoned several of the persons who were transported from the Province for High Treason, and praying your intervention with Her Majesty's Government to obtain for such of them as have not the requisite funds, the means of returning to their homes.

It would afford much satisfaction to Her Majesty's Government to comply with the wishes of the House, intimated to them in this Address; but this is a Public Service the expenses of which could not be undertaken by the Treasury, and recommended for the sanction of Parliament, without the sacrifice of a general principle which it is the duty of the Ministers of the Crown to maintain.

If the Assembly should see fit to place funds at Her Majesty's disposal for this purpose, or if, as in other cases, such funds should be



contributed by private benevolence, the difficulty will of course be overcome,

I have, &c.

(Signed,) STANLEY.

The Right Honourable  
The Lord METCALFE, G.C.B.  
&c. &c. &c.

---

METCALFE

General  
Amnesty.

The Governor General transmits for the information of the Legislative Assembly, the copy of a Despatch which has been received from Her Majesty's Secretary of State, in reply to the Address of the Assembly to the Queen, praying that Her Majesty would be graciously pleased to grant a General Amnesty for all offences connected with the Rebellion in 1837 and 1838.

GOVERNMENT HOUSE,  
Montreal, 25th February, 1845.

---

(Copy.)  
No. 340.

DOWNING STREET,  
31st January, 1845.

MY LORD,

I have received your Lordship's Despatch, No. 184, of the 21st ultimo, transmitting an Address to the Queen, from the Legislative Assembly of Canada, praying that Her Majesty would be graciously pleased to grant a General Amnesty for all offences connected with the Rebellion in 1837 and 1838.

I have laid this Address before the Queen, who was pleased to receive it very graciously, and have much satisfaction in authorizing you to inform the House of Assembly that no Native of Canada, according to the records of this Department, is at present detained in Her Majesty's Penal settlements under sentence of Transportation, to whom a Free Pardon has not already been granted by the Spontaneous exercise of Her Majesty's Royal Clemency.

I have, &c.,

(Signed,) STANLEY.

The Right Honourable  
The Lord METCALFE, G.C.B.,  
&c. &c. &c.

Canal Reserve,  
Township of  
Murray.

The Honourable Mr. Daly, one of Her Majesty's  
Executive Council, laid before the House, by com-  
mand of His Excellency, the Governor General,

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, bearing date 17th January, 1845, praying that he will be pleased to order the proper officer to lay before the House a Statement in writing of the valuation made of the lands on the Canal Reserve, and other lands in the township of Murray, in the Newcastle District, &c., &c., &c.:--

CROWN LAND DEPARTMENT,  
Montreal, February 25, 1845.

In compliance with the Address presented to His Excellency, the Governor General, from the Honourable the Legislative Assembly, for certain information respecting the Murray Canal in the Newcastle District, I have the honour to submit the copy of a Report made by the Commissioner of Crown Lands, 7th January, 1840, intended for the House of Assembly at that time, but it would appear that it was decided, for what reason is not known to me, that it should not be sent in.

This Report contains all the information the Department is in possession of; no subsequent action having, it would seem, been taken in the matter.

D. B. PAPINEAU,  
C. C. L.

CROWN LANDS OFFICE,  
Toronto, January 7, 1840.

SIR,

With reference to the Address of the Honourable House of Assembly respecting the Murray Canal reserve, I have the honour to report for the information of His Excellency, the Governor General, as follows:--

In the year 1796, it was resolved by His Excellency, the Lieutenant Governor, in Council, "that 3000 acres of land in front of the Township of Murray, be reserved for the purpose of facilitating the cutting of a Canal between the Bay of Quinté and Newcastle (or Presqu' Isle,) or for

such other public benefit, as it may be appropriated to."

This reservation was surveyed in 1815, and placed under the charge of the Deputy Superintendent of Settlers at the Carrying Place, David M'Gregor Rogers, Esquire, acting by authority from the Quarter Master General's Department.

(302)

I find that the entire of these lands have been alienated by that Department, without reference to the original intention of the reservation, with the exception of about sixty-four acres.

This exception comprises the strip of land across the Isthmus of Prince Edward, which was surveyed as the proposed route of the Canal itself, and is still at the disposal of the Crown, for the purpose originally intended.

By the Address to His Majesty of the 13th Parliament, on the subject of these lands, I find that the Honourable the House of Assembly, represent, that an additional reservation of two thousand acres will, at least, be necessary to carry into effect the proposed route, which they recommend to be made in Concession C. in Murray, and on Presau' Isle Point, contiguous thereto.

In the answer received from Her Majesty's Government in reply to that Address, sanction is given to carry the recommendation of the House of Assembly into effect, with this observation:--

"That the appropriation of specific portions of land with a view of raising hereafter a fund to be devoted to a particular object, may perhaps provide for that object at a greater expense to the public than if the more ordinary course were adopted of defraying the charge by a grant from the General Revenue," and concludes by referring this question to the wisdom of the House of Assembly, for the guidance of the Government.

The suggestion of constructing the Canal by a grant of money, instead of the appropriation of Crown Lands to that object, was adopted by the Legislature in an Address of 16th February 1838, to His Excellency, the Lieutenant Governor, on the subject, with the trust that, in the estimation of the amount to be granted in lieu of the reservation, due regard may be had to the increased value to which these lands may have attained.

His Excellency, by Answer of the 26th February, was pleased to concur with the Address.

Pursuant to instructions consequent upon such concurrence, I have the honour to state, that two gentlemen have been employed by me to value these lands, Alexander M'Donnell and William Rorke, Esquires, agents to this Department, who give it as their opinion, that the original reservation

and the lands contemplated in the Address of the House of Assembly, approved of by Her Majesty's Government, are worth, on the average, three pounds per acre.

The aggregate quantity of lands and their estimated value would thus stand--

Original Reservantion	3000 acres.
Contemplated Reservation	<u>2000</u>
	5000
Less 64 acres not granted of original Reservation	<u>64</u>
	4936

At £3 per acre would admit of a grant for the construction of the proposed Canal amounting to £14,808.

I cannot trace the authority for the alienation of the Reserve originally made for the Canal; although it may be assumed as certain, that the survey which took place, in 1815, and the subsequent grants to settlers, were made by order of the Government.

The lands originally reserved have been, as above stated, all granted, with the exception of the proposed site for the Canal.

The lands which remain at the disposal of the Government in the neighbourhood, including the proposed Town of Newcastle, contain nearly 2000 acres.

I do not think it would be safe to calculate upon the Government realizing a larger amount than £6000 for these lands.

The original Reserve having been disposed of, I do not see how its present or future value can materially affect the question before the Legislature.

I would respectfully recommend to His Excellency to fix upon some specific sum which may be charged upon the Crown Reserve, and made payable out of its first disposable proceeds, towards the completion of the Canal, and which, upon the cession of the Crown Revenue to the Legislature, will be considered a payment for which the faith of the Government is pledged, and provided for in any bill which may be passed for the granting a Civil List in return for the cession of the revenue.

The amount of this grant, within the sum at which the whole Reserve and the remaining lands at the disposal of the Government have been valued, say £15,000, I should respectfully suggest, may properly be left to the discretion of the Honourable the House of Assembly. I



send herewith plans of the ground for the information of His Excellency.

I also send herewith copies of the valuation placed upon the lands by A. M'Donnell and W. Rorke, Esquires.

I have, &c.

(Signed,) R. B. SULLIVAN.

To T. W. C. MURDOCH, Esquire,  
Chief Secretary, &c. &c. &c.

---

Toronto, 11th December, 1839.

SIR,

In obedience to the instructions contained in your letter of the 21st ultimo, I proceeded to examine the Murray Canal Reserve Lands, and having inspected the tract in question, namely the land originally reserved for the above purpose and since assigned to settlers, as well as the lots designated on the plan enclosed to me, as having been applied for by the House of Assembly, I have in connexion with Mr. Rorke, your Agent for the District of Prince Edward, with whom you requested me to unite in forming a valuation of said lands in the event of the contemplated Canal being completed, have after ascertaining the value placed on land, the property of individuals in the neighbourhood of the tract alluded to, but less desirable in point either as to eligibility of position or richness of soil; and having also ascertained the opinions of gentlemen residing in that part of the country on the subject, we have arrived at the conclusion that the lands alluded to, in the Address of the House of Assembly, might fairly be estimated on the average at three pounds per acre. At this valuation, taking the original reserve into consideration, and the unconceded lands of the Crown designated on the plan herewith returned, making in all, if the quantity be correctly ascertained, about six thousand acres.

The Government might, in our opinion, safely depend upon realizing eighteen thousand pounds on the completion of that important work.

I have, &c.

(Signed,) A. M'DONNELL.

Honourable R. B. SULLIVAN,  
Commissioner of Crown Lands.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Scott, the Petition of the Reverend William Abbott and others, members of the Protestant Episcopal Congregation at Saint Andrews.

By Mr. Brooks, the Petition of the Bank of Montreal; the City Bank; and the Banque du Peuple; and the Petition of James Gibb, Esquire, President of the Quebec Bank.

By the Honourable Mr. Daly, the Petition of the Reverend Richard Anderson and others, of New Ireland and Inverness, members of the Church Society of the diocese of Quebec.

(303)

By Mr. Gowan, the Petition of the widow Mary Allen, of Sherrington, in the county of Huntingdon; and the Petition of Henry W. Sache and others, of the district of Bathurst.

By Mr. Jobin, the Petition of E. M'Naughton and others, of the Island of Montreal.

By Mr. Greive, the Petition of E. Armstrong and others, members of the Church of England, in the Rivière du Loup mission.

By the Honourable Mr. Baldwin, the Petition of John A. Eakins and others, of Sparta, in the London district; and the Petition of Jeremiah Wilson and others, of Westminster, in the district of London.

By Mr. Méthot, the Petition of the Reverend Louis Théophile Fortier and others, of Nicolet.

By the Honourable Mr. Moffatt, the Petition of the Reverend William T. Leach and others, the Minister and Members of St. George's Church, Montreal.

Registry Laws.  
Upper Canada.

An engrossed Bill to alter and amend the Registry Laws of that part of this Province which was formerly Upper Canada, was read for the third time.

The Honourable Mr. Solicitor General Sherwood moved, seconded by Mr. Cummings.

That the following engrossed Clause, marked A, be added to the said Bill by way of Ryder, and make part thereof:--

## CLAUSE A.

And be it enacted, that for and notwithstanding anything in this Act contained, it shall not be necessary to appoint a Register for each of

the following Counties, namely:--Lennox, Addington, Prescott, Russell, Lincoln and Welland; but for the purposes of registration of titles under this Act, it shall and may be lawful to appoint one Register for the Counties of Lennox and Addington, one for the Counties of Prescott and Russell, and one for the Counties of Lincoln and Welland: Provided always, that in the event of a vacancy in the office of Register of either of the said united Counties, it may be lawful for the Governor General, in his discretion, to divide the said Counties in which any such vacancy may happen, and to appoint a Register for each County respectively.

The said Clause being thrice read, and the question being put thereon, it was agreed to by the House.

Mr. Macdonald, of Glengarry, moved seconded by Mr. Prince, that the following Clause, marked B, be added to the said Bill, by way of Ryder, and make part thereof:--

CLAUSE B.

And be it enacted, that no deed of sale, conveyance, assignment, or other instrument purporting to convey any real estate shall be deemed or construed to have been executed by way of mortgage, or subject to any equity of redemption, as regards any third party, unless it shall be so expressed on the face thereof, and in the memorial registered, although a bond or other assurance may have been given to re-convey such estate upon the performance of any condition, and such condition may have been performed, unless such bond or assurance, containing the defeasance, shall also be registered at the same time with the deed of sale, conveyance, assignment or other instrument, containing the description of the real estate to which such bond or assurance refers.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Resolved, That the Bill do pass.

Ordered, That Mr. Prince do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day the following Petitions were read:--

Of Mrs. Mary Allen, widow of the late Corporal James Allen, of the Sherrington Loyal Volunteers, county of Huntingdon, praying for pecuniary aid in consideration of her present distress.

Of O. Trudel, Esquire, and others, of the seigniory of Batiscan, praying that a law be passed to appoint a Commissioner to examine into

the arrears of lods et ventes, in the seigniority of Batiscan, to discharge them of the said arrears, and to exact in future only six per cent as lods et ventes.

Of Edward Hale, Esquire, and others, of the county of Portneuf, praying that part of the moneys appropriated by 4th and 5th Victoria, chapter 28, be granted them for the purpose of improving the crossing of the River Jacques Cartier.

Of Joseph Smith, M.D., and others, of the county of Yamaska, praying that their county may be exempted from the operation of the Sleigh Ordinance.

Of Christopher Crabb, Chairman, on behalf of a public meeting of the district of Huron, praying that the Bill now before the Legislature imposing a tax upon Distilleries, Breweries, and fermented liquors, may not be passed, but that, should it be found necessary to impose such a tax, it may be done by some simple enactment, which shall not prove burdensome to the people.

Of Peter Fleming, of Montreal, Civil Engineer, complaining that he has been neglected by the Government and the Board of Works, and his plans monopolized; and that he has in consequence suffered much pecuniary loss; and praying for an investigation of his grievances.

Of the Reverend John Johnston and others, members of the Church of England, in the mission of Hull, praying that measures may be adopted for vesting in the Church Society, of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

Of Jean Langevin, Esquire, of the city of Montreal, praying that the Legislature may adopt some means to enable Creditors of the Municipal Councils to recover the amount of their respective debts.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Parish of St. Sylvester.

The Legislative Council have passed the Bill, intituled, "An Act to detach the Parish of St. Sylvester from the County of Lotbinière, and to annex it to the County of Dorchester, for the purposes of Registration only," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.



(304)

Petitions  
referred.

L.H. Dunlop.

Ordered, That the Petition of Leonard H. Dunlop of Montreal, (relating to the Board of Works,) be referred to the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the City of Montreal, and other references.

J. Smith, M.D.

Ordered, That the Petition of Joseph Smith, M.D. and others, of the county of Yamaska, be referred to the Committee of the whole House, on the Bill to repeal two certain Ordinances therein mentioned, relating to Winter Roads, in that part of this Province, heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec to the parish of Nicolet, on the South side of the River St. Lawrence, and to the town of Three Rivers, inclusively, on the North side, and other references.

F. Cubitt and  
others.

Ordered, That the Petition of Fleetwood Cubitt and others, members of the United Church of England and Ireland, in the townships of Darlington and Clark, Canada West, be referred to the Select Committee, to which was referred the Petition of the Right Reverend the Lord Bishop of Toronto and others, members of the United Church of England and Ireland, in the city and vicinity of Toronto, (relating to schools,) and other references.

A. Mason

Ordered, That the Petition of Archibald Mason, of the town of Cornwall, in the Eastern district, Mason; and the Petition of Caleb Truax, of Cornwall, on behalf of himself and Andrew Key; be severally referred to the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal, and other references.

Ordered, That Mr. Dunlop be added to the said Committee.

Municipal  
Council,  
Johnstown  
District.

Resolved, That the Petition of the Municipal Council of the district of Johnston, (relating to Assessment of Lands,) be referred to a Select Committee, composed of Mr. Gowan, Mr. Jessup, Mr. Sherwood of Brockville, Mr. Smith of Frontenac, Mr. Stewart of Bytown, and Mr. Macdonell, of Dundas, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

J. Langevin,  
Esquire.

Ordered, That the Petition of Jean Langevin, Esquire, of the city of Montreal, be referred to the Select Committee, to which was referred the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada, with an instruction to the said Committee, and other references.

Election, Third  
Riding, York.

Mr. Berthelot, from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this day, at ten o'clock, A.M.; but Mr. Macdonald, of Dundas, being absent, they waited until eleven o'clock, and adjourned for five minutes; at the expiration of which time they again met, but Mr. Macdonald not appearing, they were unable to proceed to business; and accordingly, at five minutes after twelve o'clock, they adjourned until to-morrow.

Petition of the  
Venerable G. O.  
Stuart and others.

Mr. Smith, of Frontenac, from the Select Committee, to which was referred the Petition of the Venerable George O'Kill Stuart and others, proprietors of lot No. 24, in the first concession of Kingston, in the county of Frontenac, and another reference; presented to the House, the Report of the said Committee; which was again read at the Clerk's table, is as followeth:--

Report.

That your Committee have carefully investigated the allegations contained in the said Petition, and having examined witnesses in the premises, are unanimously of opinion that the prayer of the Petitioners be granted.

Your Committee beg to lay before your Honourable House, the following facts upon which they have founded their decisions:--

1st. That the inhabitants of Lot 24, in the first Concession of Kingston, are, with few exceptions, composed of mechanics and labourers, many of whom are tenants at low rents, while others are proprietors of the soil. In many cases, labouring men are the owners and occupiers of small pieces of land, upon which they have erected houses, and reside therein.

2d. That the said Lot 24 was, until the last twenty-five years, used as a farm, and that the Petitioner, the Venerable George O'Kill Stuart, laid out lots upon the same, and sold at low rates for the purpose of encouraging industrious mechanics and labourers who were unable to purchase lands in the limits of the Town, and pay Town taxes.

3rd. That upon Lot 25, and Park Lots one and two, now within the limits of the Corporation, there are large blocks of vacant land; and upon Lot 25, which contains fifty-five acres, there are not more than twelve houses. Upon Park Lot, No. 1, it is not supposed there are as many; while Park Lot, No. 2, which lies contiguous to the old survey of the Town of Kingston, has been laid out into Town Lots, yet no single street has as yet been built up, and there are many vacant lots which may probably not be built upon for years to come.

At the North end of the Town of Kingston, a tract, called the Ferguson Tract, lying East of the Montreal road, and supposed to contain about fifty acres, has not more than twenty houses erected upon it, while on the West side of the said Montreal road, a village, formerly called Charlesville, has plenty of vacant lands, which can be purchased upon reasonable terms.

In the original survey of the Town of Kingston, there yet remain many lots of vacant land, and your Committee are of opinion that the allegation in the Petition, "that there is unoccupied ground within the present city limits sufficient whereon to build one thousand houses," is perfectly correct.

Your Committee beg to represent, that the Corporation of the Town of Kingston have contracted a debt, which is stated by the Mayor of the Town, who was before your Committee as a witness, to amount to nearly £30,000, and that the interest upon £20,000 of that money is secured by the Commercial Bank of Kingston, payable in England.

The revenues of the Town are said to amount to about £2,500, nearly £1800 of which are consumed in the payment of the interest of the debt above mentioned.

Your Committee are informed, that the expenses of the said Corporation are about £800 per annum, and at present there is no salary paid to the Mayor.

Your Committee cannot but express their surprise that the Corporation of Kingston should have contracted so large an amount of debt with so little revenue.

That the removal of the Seat of Government from Kingston to Montreal, has not only decreased the value of property in, and adjacent to the Town, but many houses which were built to meet the emergency upon its coming to Kingston, are not at present occupied, and it becomes a severe tax to the owners of such houses, to be compelled to pay those taxes at a time when they are unoccupied.

(305)

That your Committee cannot see any advantage to be gained by the inhabitants of Lot 24, by being brought within the limits of the Town of Kingston; while on the other hand, they would be burdened with the payment of an enormous debt improvidently contracted, and to which had they been consulted, they would have offered their most strenuous opposition.

The present plank walk between the town and country has been made by the inhabitants of Lot 24, at their own expense; and they have also in the same way, macadamized several of their streets.



Your Committee cannot conclude their Report without stating to your Honourable House their firm conviction, that the incorporation of this Lot within the limits of Kingston, against the almost unanimous wishes of the inhabitants to be affected by it, and who have been no party to the contracting of the present enormous debt due by the Town, would not only prove an injustice to the Petitioners, but would establish a precedent hereafter for any Corporate Town in the Province of Canada to apply to your Honourable House for further extension of their limits, and make others liable for a debt which they had not contracted, and from which they derived no benefit whatever.

Laws in relation to Agriculture.

Mr. Watts, from the Select Committee appointed to inquire into the expediency of amending the Laws of Lower Canada, relating to the remedy of abuses prejudicial to Agriculture, with power to report, by Bill or otherwise, presented to the House a Bill to continue for a limited time the Act, intituled, "An Act to repeal a certain Act therein mentioned, and more effectually to remedy divers abuses prejudicial to Agriculture," which was received and read for the first time, and ordered to be read a second time on Monday next.

Kingston Incorporation.

Ordered, That Mr. Macdonald, of Kingston, have leave to bring in a Bill to amend an Act, passed in the first year of Her Majesty's reign, intituled, "An Act to incorporate the Town of Kingston, under the name of the Mayor and Common Council of the Town of Kingston."

He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time on Thursday next.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by the Honourable Mr. Robinson,

Savings Banks.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Act therein mentioned, for the establishment and encouragement of Savings Banks," be committed to a Committee of the whole House to-morrow.

On motion of the Honourable Mr. Robinson, seconded by the Honourable Mr. Solicitor General Sherwood,

Management of Customs.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to provide for the management of the Customs and matters relative to the collection of the Provincial Revenue," be now taken into consideration.



The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 4 Line 36. -- After the word "respectively," insert "Provided always that a notice of the hours of General attendance, so appointed, shall be kept constantly posted up in some conspicuous place in such offices and places of appointment.

Press 8 Line 43. -- After the word "made," insert "Provided always that a detailed statement of all such remissions as aforesaid, shall be annually submitted to the several branches of the Legislature within the first fifteen days of each ensuing Session thereof."

And the said amendments being again read, and it appearing that the same were only introduced for greater caution, and were no alteration of the intention of this House, as evidence by the contents of the Bill, they were agreed to by the House.

Ordered, That the Honourable Mr. Robinson do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Cummings, seconded by Mr. Williams,

Taxes on land  
Upper Canada.

Ordered, That the Order of the Day for the House in Committee, on the Bill to remove all doubts as to the liability of certain Lands in Upper Canada to be charged with local taxes, be discharged.

Resolved, That the Bill to remove all doubts as to the liability of certain Lands in Upper Canada, to be charged with local taxes, be referred to a Select Committee, composed of Mr. Cummings, Mr. Macdonald, of Kingston, Mr. Thompson, and Mr. Macdonald, of Cornwall, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Limits of  
Bytown.

Ordered, That the Bill to define the limits of Bytown, and to establish a Board of Police therein, be read a second time on Monday next.

Revenue and  
Expenditure  
for 1844.

Ordered, That the statements respecting the Revenue and Expenditure of the Province of Canada, for the year 1844, be referred to the Special Committee, to which were referred the Accounts and

Statements respecting the Public Income and Expenditure of the Consolidated Revenue Fund of the Province of Canada, for the year 1843, with an instruction to the said Committee, and other references.

Ordered, That the said Committee have power to report from time to time.

On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. Attorney General Smith,

French Language.

Resolved, That this House do concur in the Address of the Honourable the Legislative Council, to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to the Queen, on the subject of the French Language, to Her Majesty's Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne; that the blank therein be filled up with the words, "and Legislative Assembly," and that the said Address be signed by Mr. Speaker on behalf of this House.

Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to Her Majesty, on the subject of the French Language, to Her Majesty's Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Ordered, That the Honourable Mr. Papineau do carry the said Message to the Legislative Council.

(306)

Report on the Petition of J. D. M'Kenzie.

Ordered, The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Petition of John D. M'Kenzie and others, of the township of Beverley, in the district of Gore, and other places, be postponed until to-morrow, and that it be then the third Order of the Day.

Ordered, That the Honourable Mr. Robinson be added to the Select Committee, to which was referred the Petition of the Honourable Vallières de St. Réal, Chief Justice of Montreal, and other references.

Office of Sheriff.

Ordered, That Mr. Prince be added to the Select Committee, to which was referred the Bill for the better regulation of the office of Sheriff, in that part of Canada, formerly Upper Canada, and for other purposes therein mentioned, with an instruction to the said Committee.

Petition of  
J. M'Bean.

Ordered, That Mr. Prince be added to the Select Committee, to which was referred the Petition of John M'Bean, of Lancaster, in the Eastern district.

Upper Canada  
Trust and Loan  
Company.

Ordered, That Mr. Macdonald, of Kingston, have leave to bring in a Bill to amend and extend certain provisions of an Act, made and passed in the seventh year of the reign of Her present Majesty, intituled, "An Act for incorporating and granting certain powers to the Upper Canada Trust and Loan Company."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Agricultural  
Societies,  
Lower Canada.

Mr. Watts moved, seconded by the Honourable Mr. Morin, that this House do now resolve itself into a Committee of the whole House, to take into consideration the expediency of granting an aid to Agricultural Societies in Lower Canada.

The Honourable Mr. Attorney General Smith rose in his place, and informed the House, that His Excellency, the Governor General, being acquainted with the purport of the said motion, gives his consent that the House may proceed thereon as they shall think fit.

The question being then put on Mr. Watts' motion, it was agreed to unanimously, and the House accordingly resolved itself into the said Committee.

Mr. Smith, of Frontenac, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith, of Frontenac, reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Petition of the  
Venerable G. O.  
Stuart and others.

Ordered, That two hundred copies of the Report of the Select Committee, to which was referred the Petition of the venerable George O'Kill Stuart and others, proprietors of Lot No. 24, in the first concession of the township of Kingston, in the county of Frontenac, and another reference, be printed in each of the English and French

Languages for the use of the Members of this House.

Registrars of  
Quebec and  
Montreal.

Resolved, That a Select Committee, composed of the Honourable Mr. LaFontaine, the Honourable Mr. Moffatt, the Honourable Mr. Aylwin, Mr. Leslie, and Mr. Drummond, be appointed to enquire if the Registrars of the cities of Quebec and Montreal have furnished the security required by Law; and if the securities given by them are not such as the law requires; what are the reasons for which those Registrars have not furnished the securities for which the law requires; to report thereon with all convenient speed; with power to send for persons, papers, and records.

Report on the  
Petition of the  
Church Society  
Toronto.

Ordered, That five hundred copies of the Report of the Select Committee, to which was referred the Petition of the Church Society of the Diocese of Toronto, and other references, be printed in each of the English and French Languages for the use of the Members of this House.

Insolvent Debtors.

The Order of the Day for receiving the Report of the Committee of the whole House, on the Bill for the relief of Insolvent Debtors, being read,

Ordered, That the said Order of the day be postponed until to-morrow.

Small Debts.

Ordered, That the Order of the Day for the House in Committee on the Bill to amend an Act, passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of small debts," and to make other provision therefor, be postponed until to-morrow.

British Planta-  
tion Vessels.

Ordered, That the Order of the Day for the House in Committee on the Bill to secure the Right of Property in British plantation vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the registering of British vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, be postponed until to-morrow.

Trinity House,  
Quebec.

Ordered, That the Order of the Day for the second reading of the Bill to amend and consolidate the Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of Quebec; to Pilots and Pilotage in the port of Quebec; and to the Quebec



*Decayed Pilot Fund; and for other purposes, be discharged.*

Winter Roads  
Lower Canada.

*The Order of the Day for the second reading of the Bill further to amend the Laws, relative to Winter Roads, in Lower Canada, being read,<sup>1</sup>*

M. DEBLEURY (( a déposé une motion)) pour la seconde lecture de son bill.<sup>2</sup>

M. LAFONTAINE prit le premier la parole et dit qu'il avouait qu'il n'avait pas assez d'expérience personnelle en cette matière pour pouvoir dire laquelle des deux espèces de voitures, du sleigh ou de la traine, faisait les meilleurs chemins d'hiver; qu'il voyait un grand nombre de personnes d'expérience différer d'opinion sur cette question; que pour lui, il n'hésitait pas à dire qu'il était en principe opposé à ce qu'on législatât sur cette matière, étant d'opinion qu'on ne devait pas tenter de changer les habitudes d'un peuple à coups de lois, que s'il était vrai que les sleighs eussent la supériorité sur les anciennes voitures, le peuple s'en convaincrerait bientôt, et finirait par s'en servir généralement; Que, quant à ses constituants, il devait répéter ce qu'il avait déjà dit au comité spécial, que la grande majorité d'entre eux était opposée à la loi des sleighs; que son adversaire, à la dernière élection de Terrebonne, avait cherché à exploiter à son profit ce qu'on appelle les préjugés des habitants en faveur des anciennes voitures; qu'au nombre des trois conditions que ce candidat du ministère s'était cru justifiable de lui proposer au hustings était celle-ci: que lui, M. LaFontaine, ferait révoquer la loi des sleighs. Son adversaire voulait par là flatter ces préjugés ou ces prédilections du peuple. Lui, M. LaFontaine, quoiqu'opposé à cette loi, repoussa avec indignation cette condition, et refusa de se lier, car il croyait que c'eût été s'abaisser que de se mettre dans une situation à se voir dire qu'il ne devait son élection qu'à ce seul fait, celui d'avoir flatté ces préjugés que son adversaire pensait alors exploiter avec tant d'avantage. Cette tactique du candidat ministériel eût si peu de succès que lui, M. LaFontaine, n'en fût pas moins élu à l'unanimité. Maintenant qu'il n'avait rien à gagner par l'expression de ses opinions sur ce système de législation, il déclarait publiquement qu'il y était opposé en principe. Que néanmoins il savait très bien qu'il y avait dans la chambre une majorité en faveur de cette loi, si les membres du Haut-Canada ne s'abstenaient pas de voter. Qu'il craignait beaucoup que si on mettait de suite cette loi à exécution, on ne commît la même faute qui avait été commise naguères par le conseil spécial dont l'ordonnance, dans son exécution, était devenue d'autant plus tyrannique qu'en supposant la meilleure volonté du monde, il avait été impossible aux habitants de plusieurs localités de se procurer des nouvelles voitures pour l'hiver suivant, et cela par le défaut de matériaux et d'ouvriers pour confectionner en si peu de temps le nombre requis de ces nouvelles voitures; que la loi était encore injuste sous un autre point de vue, celui de priver l'habitant d'un capital déjà employé dans la construction de ses anciennes voitures; que si on avait donné un délai

de trois ou quatre ans avant de mettre cette ordonnance en opération, on aurait rendu son exécution sinon acceptable, du moins pas aussi odieuse qu'elle l'avait été; que les officiers de police seuls y avaient gagné par les persécutions sans nombre qu'ils avaient exercées contre les habitants. Que si la majorité voulait faire revivre les dispositions de cette ordonnance, elle devait au moins se garder de commettre l'erreur du conseil spécial; elle devait au moins accorder un délai raisonnable afin d'en rendre l'exécution moins onéreuse. Il ajouta que, puisque le bill dans sa présente forme, exceptait plusieurs comtés du district de Montréal, sur le principe que la majorité des habitants ... y étaient opposé; il proposerait en comité général que, sur le même principe, le comté de Terrebonne fut de même exempté de l'opération de cette loi. Il avait d'autant plus de raison de faire cette proposition que plusieurs des membres du comité spécial l'avaient assuré depuis le rapport du bill que s'il faisait cette demande, elle devait lui être accordée (sic).<sup>3</sup>

Un grand nombre de membres parlèrent ensuite, les uns en faveur des sleighs (sic)<sup>4</sup>.

Les autres ((membres ont parlé)) en faveur des anciennes voitures.<sup>5</sup>

Le DR. LATERRIERE dit que dans le comté de Saguenay qu'il représentait, il n'y avait pas de cahots, parce qu'après chaque chute de neige un peu considérable, les habitants ne faisaient pas usage de voitures à patins soit anciennes soit nouvelles, mais bien de traînaux plats.<sup>6</sup>

MR AYLWIN stated as a fact that in Russia and Poland where a different description of sleigh was used the cahots were as bad as they are here.<sup>7</sup>

Some hon. members ... ((from Upper Canada denied)) the existence of cahots in that section.<sup>8</sup>

((M. AYLWIN a interpellé M. Riddell sur ce point.))<sup>9</sup>

MR. RIDDELL stated that he had travelled over four miles in the county of Oxford on the main road from London to Brantford on which the cahots were worse than any he had seen in Lower Canada, owing as he said to the snow having drifted to one side of the road where it was as high as the fence.<sup>10</sup>

This ... MR. AYLWIN observed, was a fact and it was not answered by the silly exclamations of some hon. members - "Oh! only four miles of cahots in 400."<sup>11</sup>

MR. RIDDELL ... ((stated)) that where the snow has drifted and is very deep there will be cahots no matter what kind of sleigh is used.<sup>12</sup>

(306)

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Watts took the chair of the Committee,*

M. LAFONTAINE proposa un amendement à l'effet de retrancher du bill le comté de Terrebonne.<sup>13</sup>

M. DEBLEURY, s'opposait à l'amendement de M. LaFontaine.<sup>14</sup>

M. PAPINEAU ... dit que la loi des sleighs ne convenait pas à toutes les parties de son comté, et qu'il demanderait que son comté fut aussi retranché du bill, comme M. LaFontaine l'avait lui-même demandé pour le comté de Terrebonne.<sup>15</sup>

M. HALE, avec l'approbation de M. Moffatt, proposa un autre amendement au bill de M. DeBleury à l'effet de statuer qu'après le 1er novembre 1846, l'ordonnance du conseil spécial serait de nouveau mise en vigueur dans tout le district de Montréal et celui de St. François.<sup>16</sup>

Cet amendement ... fut alors adopté à une assez forte majorité.<sup>17</sup>

((Il fut proposé)) que le comité se levât et siégeât de nouveau le lendemain vendredi.<sup>18</sup>

M. GOWAN ((déposa une motion)) à l'effet de fixer le 1er novembre 1845 au lieu de 1846, pour remettre en force l'ordonnance du conseil spécial.<sup>19</sup>

MR. BROOKS was for the earliest period proposed, Nov. 1845.<sup>20</sup>

He was supported by MR. DEBLEURY<sup>21</sup>.

The Upper Canada members generally ((also supported him)).<sup>22</sup>

((La motion a)) été mise aux voix et perdue.<sup>23</sup>

(306)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Watts reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Macdonald, of Dundas,

The House adjourned.



FOOTNOTES - 27 FEBRUARY 1845.

1. The debate on this matter was reported by: L'AUORE, 1 March 1845; PILOT, 28 February 1845; and LA MINERVE, 3 March 1845. The MONTREAL TRANSCRIPT, 1 March 1845, noted the debate. Commented the TRANSCRIPT, "On Thursday evening the House was engaged exclusively in discussing the bill respecting winter roads. After sitting till past 11 o'clock, the Committee rose and reported progress - having done absolutely nothing.-" MONTREAL GAZETTE, 1 March 1845, explained that it had no report for the proceedings of 27 February: "Partly from want of room and partly from the illness of the gentlemen who would otherwise have furnished them to us, we postpone all account of the proceedings in the House of Assembly on Thursday evening, and the Routine Business of last night." However, a perusal of later issues indicates that this omission was never remedied.
2. LA MINERVE, 3 March 1845.
3. IBID. The ellipsis represents words that are illegible in the newspaper.
4. IBID.
5. IBID.
6. IBID.
7. PILOT, 28 February 1845.
8. IBID.
9. LA MINERVE, 3 March 1845.
10. PILOT, 28 February 1845.
11. IBID.
12. IBID.
13. LA MINERVE, 3 March 1845.
14. IBID.
15. IBID.
16. IBID.
17. IBID., which reported: "Peu de minutes après les partisans de la loi des sleighs decouvrirent leur erreur et par conséquent l'effet destructif de la motion de M. Hale."
18. IBID.
19. IBID.
20. PILOT, 28 February 1845.
21. IBID.
22. IBID.
23. LA MINERVE, 3 March 1845.

FRIDAY, 28 FEBRUARY 1845.

(307)

Petition  
brought up.

THE following Petition was brought up and laid  
on the table:--

By Mr. LeMoine, the Petition of M. Héroux and others, of St. Phillippe  
and other parishes.

Petitions read.

Pursuant to the Order of the Day, the following  
Petitions were read:--

Of John Charters and others, of the village of St. Jean Chrysostome,  
in the county of Beauharnois, praying for a certain amendment to the  
Common School Act.

Of James Grant and others, of the third concession of the township  
of Winchester, in the county of Dundas, praying for a just and accurate  
survey of the line in front of the third concession of the said township.

Of George Shaw, of the city of Montreal, praying that provision may  
be made, to enable him to claim the grant of land to which his father,  
the late Captain Alexander Shaw, was entitled.

Of John Tait, of Cornwall, praying for an investigation of the claim  
of his late father, for work done on the St. Lawrence Canal.

Of Charles A. Low, Esquire, and others, of the Eastern and Ottawa dis-  
tricts, praying for a grant to complete the Post road, leading from Corn-  
wall to L'Orignal.

Of James Levingstone and others, Brewers, of the town of Kingston  
and its vicinity; and of James Morton and others, Distillers, of the  
town of Kingston and its neighbourhood, praying that the proposed Bill  
to impose a duty upon Distillers, Brewers, and Spirituous and fermented  
liquors made by them, may not pass into a law.

Of Robert Pulsford and others, Shareholders of the Trust and Loan  
Company of Upper Canada, praying for the passing of an Act to amend the  
Act incorporating the said Company.

MR. SCOTT<sup>1</sup> moved that an address be presented to His Excellency,  
praying ((him)) to take some steps for the payment of the Lower Canada  
Rebellion Claims.<sup>2</sup>

MR. GOWAN hoped the hon. gentleman would not press his motion, and  
the time had arrived for the House to wait on His Excellency with the

address of congratulation passed on Tuesday.<sup>3</sup>

MR. LAFONTAINE called the attention of Mr. Papineau to the motion, as it was directly opposed to the declaration of Ministers.<sup>4</sup>

MR. PAPINEAU hoped the motion would be deferred until Ministers took their seats, he being the only one in his place.<sup>5</sup>

MR. SCOTT refused to do so, notice had been given<sup>6</sup>, and certainly it was not his fault, if the members of the administration were not in their places.<sup>7</sup>

(307)

On motion of Mr. Scott, seconded by Mr. Dunlop,

Losses by  
Rebellion.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause proper measures to be adopted in order to insure to the inhabitants of that part of this Province, formerly Lower Canada, indemnity for just losses by them sustained during the Rebellion of 1837 and 1838.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Address of con-  
gratulation on  
the exaltation  
of His Excellency  
the Governor Gen-  
eral.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency, the Governor General, with their Address of Congratulation;

And being returned,

Mr. Speaker reported that the House had attended upon His Excellency, the Governor General, with their Address of Congratulation; to which His Excellency was pleased to make the following answer:--

GENTLEMEN,

I return you my warmest thanks for your kind Congratulation. The honour bestowed on me by our Queen, I ascribe, next to Her Majesty's gracious goodness, to the maternal interest which she takes in the welfare of the people of the Province, and to Her approval of my earnest endeavours to promote that object. Those endeavours, I assure you, shall be unremitting; and I humbly hope, that by the blessing of the Almighty, Canada may be prosperous, contented and happy, whereby the most anxious wish of my heart will be accomplished.

Protection  
of Game.

Ordered, That Mr. Prince have leave to bring in a Bill to prevent certain Wild Fowl and Snipe from being destroyed at improper season of the year; and to prevent the trapping of Grouse and Quail in this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

Mechanics'  
Institute,  
Montreal.

Ordered, That the Honourable Mr. Moffatt have leave to bring in a Bill to incorporate the Mechanics' Institute of Montreal; and that the sixty-first Standing Order of this House be suspended in reference to this Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Monday, the tenth of March next.

Leave of  
absence--  
Mr. Boutillier.

Ordered, That Mr. Boutillier have further leave of absence for fifteen days from the time to which his former leave was limited, on account of continued illness.

On motion of Mr. Laurin, seconded by Mr. Méthot,

Parish of  
St. Sylvester.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to detach the parish of Saint Sylvester from the county of Lotbinière, and to annex it to the county of Dorchester, for the purposes of Registration only," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration;

And the said amendments were read, and are as followeth:--

Press 1, line 15.--After "parish of," insert "Saint."

Line 25.--Leave out "Dorchester," and insert "Megantic."

" 34.--Leave out "Dorchester," and insert "Megantic."

Preamble, line 8.--Leave out "Dorchester," and insert "Megantic."

Title, line 2.--Leave out "Dorchester" and insert "Megantic."

And the said amendments being again read, they were agreed to by the



House.

Ordered, That Mr. Laurin do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

Fees of Sheriffs  
Upper Canada.

Ordered, That the Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the Bill to regulate the Fees of Sheriffs and other officers, in that part of this Province, called Upper Canada, be postponed until Monday next.

Savings Banks.

The Order of the Day for the House in Committee, on the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Act therein mentioned for the establishment and encouragement of Savings Banks, being read,

(308)

The said amendment was again read, and is as followeth:--

Line 21 and 22.--After "notwithstanding," insert "provided always that the said Trustees of any Savings Banks shall not at any time have invested in such Bonds, Mortgages, or Securities by hypotheque, more than one third part of the three quarters of the sum deposited in such Savings Bank, which they are now by law permitted to invest in Debentures, Bank Stock, or other Public Securities, and in no case shall any such Trustee advance upon such Bond, Mortgage, or Security by hypotheque more than one half of the value of the Real Estate or immoveable property upon which the same is secured, and then only on condition that such Bond, Mortgage, or Security by hypotheque, be the first privileged claim upon such real or immoveable property."

The House then resolved itself into the said Committee.

Mr. Williams took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Williams reported, that the Committee had passed the said amendment, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Strike out all the words after "always," in the second line of the Amendment, and insert the following:--"That the said Trustees

*of any Savings Banks shall in no case advance upon any such Bond, Mortgage, or Security by hypothèque, more than one half of the value of the Real Estate or immoveable property upon which the same is secured, and then only on condition that such Bond, Mortgage, or Security by hypothèque, be the first privileged claim upon such real or immoveable property."*

Ordered, That the said amendment be engrossed.

Agricultural  
Societies,  
Upper Canada.

Ordered, That the Order of the Day for the House in Committee, to take into consideration the expediency of granting an aid to Agricultural Societies of Upper Canada, be postponed until

Wednesday next, and that it be then the first Order of the Day.

Mr. Hall moved, seconded by Mr. Sherwood of Brockville, that when this House doth adjourn, it will adjourn until to-morrow at three o'clock, P.M.<sup>8</sup>

No, no.<sup>9</sup>

((MR. HALL said:)) Hon. gentlemen might cry "no," "no," if they pleased, but that was only to be tried by the votes of the House. Some thing should be done to get through the business; at present, he can compare the method of carrying on the business to nothing else than a snail's gallop. (Hear, hear.)<sup>10</sup>

MR. GOWAN hoped the hon. member would not persist in his motion<sup>11</sup>, members worked hard enough as it was<sup>12</sup>, they sat in committee from nine o'clock every morning, and frequently the sitting was prolonged until one or two o'clock in the morning in the House, and really one holiday in the week might be allowed to hon. members.<sup>13</sup>

MR. LAFONTAINE concurred for once with the member for Leeds. He should like to know from the Government when it might be expected that the House would be prorogued, he did not ask for a positive promise as that might be inconvenient; but he would wish to know if they expected that the Session would terminate on the 10th March, if so he would vote in favour of the motion; but if they were to sit till the 28th August, as had been thrown out, he would vote against it. Perhaps, however, the Session would be prorogued on the 1st of April, and terminate in what is termed in French un poisson avril!<sup>14</sup>

MR. WILLIAMS concurred in the motion most heartily. The House had now been sitting for four months, and yet nothing was done. (Hear.) He did not however attribute any fault to the Government. (Hear, hear.) The whole of the blame lay with the opposition who made long speeches, and protracted the debates to three or four. (Hear.) It was against the sense of the House, and such persons should be coughed down. (Tremendous uproar).<sup>15</sup>

MR. PRINCE rebutted the charge against the opposition. It was the fault of the Ministry who did not bring forward their measures at the beginning of the session, and then they could prorogue the House when they chose.<sup>16</sup>

MR. CAUCHON rose to address the House.<sup>17</sup>

MR. LAFONTAINE requested an answer to his question.<sup>18</sup>

The Att. General ((MR. JAMES SMITH)) had not an opportunity.<sup>19</sup>

MR. LAFONTAINE turned and addressed some words to Mr. Cauchon, who had already been put down several times.<sup>20</sup>

"No!" burst out the last named gentleman. ((MR. CAUCHON)) "Je ne veux pas m'asseoir, je veux parler." (Roars of laughter.)<sup>21</sup>

The hon. gentleman ((MR. LAFONTAINE)) then proceeded ... to charge the Ministry with delay in bringing forward their measures.<sup>22</sup>

MR. HALL did not blame the Ministry for the delay that had taken place; but perhaps they were a little too complaisant (sic) to the opposition. (Hear, hear.) He had seen them withdraw their measures and bring them forward to accord with the views of those hon gentlemen. (Hear, hear.) They should bring their measures down cut and dried; and if they had a sufficient majority force them through. If not, abandon them.<sup>23</sup>

Opposition cheers.<sup>24</sup>

MR. ((GEORGE)) SHERWOOD of Brockville, was in favour of the motion; he had no desire to remain in that House until the summer.<sup>25</sup>

DR. DUNLOP concurred in what Mr. Hall had just said: he supported the ministry, but in future he would keep them up to their collars, and make them take a different road from what they had hitherto pursued. Here is an order, said the honorable member, holding up between his finger and thumb, the order for inspection of hon. members, "here is an order." Why, it would be a mercy to sit on Sunday to try and get through it.<sup>26</sup>

MR. BERTHELOT was opposed to the motion. At present the select committees are obliged to adjourn every day at half past twelve, in order to allow hon. members to prepare to meet the House at three o'clock, and the consequence is that the committees cannot transact the business before them.<sup>27</sup> The greater part of the business of the country was done in the committees, and Saturday was a day upon which more was done than any two other days.<sup>28</sup> Tomorrow the committees can work all day, whereas if the House meets, nothing at all will be done. (Hear, hear.) Then, what good would be derivable from passing the motion, which certainly expressed a great deal of zeal for the public good, but which, in fact, destroyed it.

He did not blame these hon. gentlemen who speak until two or three in the morning, it was in the nature of things and must be expected. (Hear, hear.)<sup>29</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said - As to the manner in which the business of the country has been conducted, this is not the time nor the manner in which to bring it forward. The proper time will be when the subject comes up for debate, and I hope that it will do so, as I shall then be prepared to answer for the conduct of the Administration.<sup>30</sup> (Hear, hear.)<sup>31</sup> In the mean time I object to every one of the remarks which are made by any Member on either side of the House, who chooses to jump up, and with the wisdom which characterises a Member of Parliament, ask the Administration why they have not brought forward this measure or why they have not done the other thing? I will on no occasion condescend to answer these remarks. If Hon. Members on that side of the House, or Members upon this side even, are dissatisfied with the manner in which the business of the country is conducted, there is a legitimate and Constitutional course open to them in which to express it; and let it come when it will, today or tomorrow<sup>32</sup>--

"Hear, hear," from the Opposition.<sup>33</sup>

((MR. JAMES SMITH resumed:)) And I care not how soon, I will never shrink from it. When, Sir, I first took my seat in this House, and this is the first Session I have had that honor, I stated to the House I would hold office no longer than I enjoyed the confidence of the Representatives of the people, the moment they declare they have lost that confidence in me, that moment will I quit it. But, Sir, until that time comes I will sit here, and whatever attacks may be made upon me it is my duty to submit to them, it is a duty which I owe not only to myself but to my country. And, therefore, I endeavour to control the warmth of my feelings on such occasions as this - feelings, Sir, of just indignation at the course of attacks which is so constantly repeated. I say again, Sir, the moment that this House declares that it no longer has any confidence in me, I am prepared to resign my office with far more pleasure than I accepted it. (Cheers.) With regard to the question put by the Member for Terrebonne - the Administration would endeavour to bring the Session to a close at as early a period as was consistant (sic) with their duty to the country. There were yet a few measures of importance to be produced by Ministers, measures which they had pledged themselves to bring forward and which had been delayed by untoward circumstances, by circumstances over which they had no control<sup>34</sup>, whatever may have been the causes, which had prevented their being introduced at an earlier period of the session, or from preparing them before the meeting of the House; if ever called on to state those reasons, he will do so in order to show that the Ministry had it not in their power to lay them on the table. However the motives of the Administration was not the question at present<sup>35</sup>. The Government had pledged itself to the country to bring forward those measures for



which reference was made in the speech from the Throne, and they would do so before the Session closed (Cheers.)<sup>36</sup>

MR. HALL rose again because he was astonished at the Att. General saying he would not condescend to argue these questions. Really he did not before think he stood on such low ground as the Att. General's expression would seem to imply. And he would beg to tell that hon. gentleman, that there was no necessity for the course he recommended, as they had a much easier method, by walking to the other side of the House-<sup>37</sup>

Opposition cheers.<sup>38</sup>

((MR. HALL continued:)) when they wished to express their want of confidence in him. And he would further tell the hon. Att. General that whatever private feelings he might have, he must have them at home.<sup>39</sup>

Opposition cheers.<sup>40</sup>

MR. ERMATINGER rose amid loud cries of "question," "question." He contended that he had a perfect right to be heard - (hear, hear) - instead of being always obliged to give a silent vote, whilst other hon. members wasted the time in endless discussion - (hear, hear.) His intention in rising, was to express his entire dissent to what had fallen from Hall - (hear) - and he did so with indignation - (cheers.) He was astonished that hon member should make the charges against the administration he had come to support. He denied that the government had time as yet, to bring in their measures, which required mature consideration - (hear, hear) - he denied that the government was to blame for what had taken place<sup>41</sup>. It was in consequence of the systematic opposition of the gentlemen on the other side; and when they ((the ministers)) were obstructed at every step, it was most unfair to accuse them of dilatoriness. The intolerably long debates which arose with, and were carried on by, gentlemen of the Opposition, was another reason why the Government could not progress with its measures. It was only the other night that he had been kept in the Chair upon one question, five hours. (Cheers and laughter.)<sup>42</sup>

MR. JOHNSTON was as desirous of going home as any one, and perhaps had as much to complain of as any hon. member, but he well knew that the ministry had a multitude of business to attend to, besides that in the House, and he would not be one of those, who would endeavour to embarrass them.<sup>43</sup> It was well known that little business could be expected to be done in the first session of a Parliament, beyond trying contested elections and receiving and considering petitions.<sup>44</sup> And he must therefore allow himself and his constituents to suffer a little inconvenience rather than attempt to injure an administration which is doing every thing in its power for the good of the country.<sup>45</sup> In the next session he should expect more at their hands, and if he did not receive it he would oppose them; but he considered that, under all the difficulties he (sic) had met with, they had done wonders.<sup>46</sup> He well knew that his hon. friend would be the

last man to walk over to the other side - (hear, hear) - although he had blustered a little; for if ever there was any thing that they should support, it was the present administration. Last session, when the Ministry brought down measures, it was with them, "the whole Bill, and nothing but the Bill." But he had seen the present administration expunge whole clauses and ... alter and amend their Bill to suit the views of hon. members, and make it as perfect as possible - (hear.) They had talked so much about their vote of want of confidence, that he did not doubt the opposition had it all cut and dried, written out and printed, in their pockets; let them bring it up to-day or whenever they chose and they might be sure of a most signal defeat - (hear.)<sup>47</sup>

(308)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Christie, Hall, Laterrière, M'Connell, Merritt, Murmey, Powell, Price, Roblin, Rousseau, Sherwood of BROCKVILLE, Smith of WENTWORTH, Watts, and Williams.--(14.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Brooks, Cauchon, Chabot, Chauveau, Daly, Desautier, DeWitt, Attorney General Draper, Duggan, Erma-tinger, Foster, Gowan, Greive, Guillet, Hale, Jessup, Jobin, Johnston, Lacoste, LaFontaine, Lantier, Leslie, Macdonald of CORNWALL, Macdonell of STORMONT, Moffatt, Morin, Petrie, Riddell, Scott, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Thompson, and Webster.--(38.)

*So it passed in the negative.*

*A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--*

MR. SPEAKER.

Boards of Trade, Montreal and Quebec.

*The Legislative Council have passed a Bill, intituled, "An Act to render permanent two certain Acts therein mentioned, incorporating the Boards of Trade for Montreal and Quebec," to which they desire the concurrence of the Assembly."*

*And then he withdrew.*

*An engrossed Bill from the Legislative Council, intituled, "An Act to render permanent two certain Acts therein mentioned, incorporating the Boards of Trade of Montreal and Quebec," was read for the first time,*

and ordered to be read a second time, on Thursday next.

Election, Third  
Riding York.

Ordered, That the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, have leave to adjourn until Monday next.

Oxford  
Election.

Ordered, That the Select Committee, appointed to try the merits of the Petition of the Honourable Francis Hincks, of the city of Montreal, complaining of the undue election and return of Robert Riddell, Esquire, as a Member to represent the county of Oxford, have leave to adjourn from to-morrow until Monday, the tenth of March next.

Agricultural  
Societies,  
Lower Canada.

Mr. Smith, of Frontenac, from the Committee of the whole House, to take into consideration the expediency of granting an aid to the Agricultural Societies in Lower Canada, reported, according to order, the resolutions of the said Committee; which resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

Resolved, That it is expedient to grant a sum not exceeding one hundred and fifty pounds, for each County in Lower Canada, for the encouragement of Agricultural.

Resolved, That it is expedient to grant a sum not exceeding five hundred pounds, for the District of Montreal, towards the same purposes.

Resolved, That it is expedient to grant a sum not exceeding five hundred pounds, for the District of Three Rivers, (which for the purposes of the present vote, shall include the District of St. Francis), for the encouragement of Agriculture.

Resolved, That it is expedient to grant a sum, not exceeding five hundred pounds currency, for the District of Quebec, towards the same purposes.

Ordered, That Mr. Watts have leave to bring in a Bill to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

Insolvent  
Debtors.

Mr. Colville, from the Committee of the whole House, on the Report of the Select Committee to which was referred the Bill for the relief of



of Insolvent Debtors, reported, according to order, the amendments

(309)

made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Rebellion  
Claims.

Appropriation  
of Fees from  
Tavern Licences.

Mr. Cauchon, from the Committee of the whole House, to consider the expediency of making provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by the Act of the Legislature of this Province, and relating to the payment of claims arising out of the late Rebellion and Invasions of Upper Canada, and of appropriating the moneys arising from Tavern licenses for local purposes; applying such portion thereof, as may belong to localities in Upper Canada, to the payment of the said claims, until the same be fully paid, or the money to be advanced to pay them be reimbursed to the Province, reported, according to order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and is as followeth:--

Resolved, As the opinion of this Committee, that it is expedient to make provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by an Act of the Legislature of this Province, and relating to the payment of claims arising out of the late Rebellion and Invasion of Upper Canada, and to appropriate the moneys arising from Tavern Licenses to local purposes, applying such portion thereof, as may belong to localities in Upper Canada, to the payment of the said claims, until the same be fully paid.

The Honourable Mr. Papineau moved, seconded by Mr. Prince, that this House do now concur with the Committee in the said resolution.

And the said resolution being again read,

Mr. Macdonald, of Glengarry, moved in amendment, seconded by Mr. Price, that all the words after "that," in the said resolution, be struck out, and the following substituted:--"An humble Address be presented to Her Majesty, informing Her Majesty, that during the several hostile invasions of, and unlawful aggressions upon, the Province of Upper Canada at various points, by foreigners and others from the United States of America, divers loyal inhabitants of the said Province have sustained much loss and damage, by the destruction of their dwellings and other buildings and property; praying that as the sufferers have not received any compensation for such losses, Her Majesty will be graciously pleased to recommend the Imperial Parliament to take the same into consideration, with a view to satisfy such claims as shall be found, upon investigation, to be equitable and



*just.*"<sup>48</sup>

MR. ((J.S.)) MACDONALD, of Glengary, ... looked upon these claims in the light of war losses incurred in defending the country from foreign invasion.<sup>49</sup> He argued that as Canada is a dependency to Great Britain she ought to be indemnified by the superior power for ((such)) losses. ... England claims allegiance from Canada and promises protection and she ought, therefore, to pay for injuries done to Upper Canada by the American brigands or oblige America to do so.<sup>50</sup> It was well known that there was no Rebellion in Upper Canada when the Brigands from the United States invaded its territory. There was no proof that a single rebel joined the invaders. He should not enquire whether the Rebellions in Upper or Lower Canada were justifiable or not, but he considered that the country ought not to be burdened with the expense of the losses incurred.<sup>51</sup> With regard to losses arising from internal rebellion, he (Mr. McDonald) contended that they ought to be met by direct local taxation, payment from the general revenue of the Country would be unjust inasmuch as these losses were much greater in some parts of the Country than in others.<sup>52</sup>

DR. DUNLOP was surprised to hear the Member for Glengary say that he did not know whether the rebellion was justifiable or not -<sup>53</sup>

MR. ((J.S.)) MACDONALD, of Glengary, said that he did not say that he did not know whether the rebellion was justifiable, but that he should not enquire whether it was.<sup>54</sup>

DR. DUNLOP resumed - "He would not enquire" - did it need any enquiry at all? His breechless brethren in Glengary would tell him that there was not, and if they had heard him say what he did, when he went back again, he would stand a good chance of being dragged through a horseround. (Order.) He would tell that honorable gentleman that, in expressing such sentiments, he did not represent the men of Glengary, but he misrepresented them.<sup>55</sup> This he (Dr. Dunlop) contended because he knew the loyal men of Glengary<sup>56</sup>.

"Ay," replied MR. ((J.S.)) MACDONALD ... "and they know you"<sup>57</sup>.

((DR. DUNLOP resumed)) There was not a Highlander in Glengary who had a doubt of the rebellion being unjustifiable, and their conduct had proved it, for there was not a man among them who had not turned out. The people of Upper Canada had no objection to contribute towards the losses of Lower Canada; and a Member from that portion of the Province had, the last evening, proposed this at his suggestion, and if he had not done so, he (Dr. D) would have done it; and that ought to prove that there was not that paltry sectional feeling on this side of the House which honorable gentlemen opposite were pleased to suppose existed there. All that Upper Canada wanted was to be allowed to do justice to all parties, and to be allowed to pay that which they admitted to be a just debt, out of their own funds. If the objections which were now urged, had been

brought forward at an earlier period, the people of Upper Canada would have been willing to have had every acre of land, every pound's value of property, taxed for the payment of these losses. For his own District, he could say that there was not a man, woman, or child so selfish or narrow-minded as to object to it, if the burden was too heavy for the people of Lower Canada to bear. The Province was one Province, and the people one people, and God forgive those who tried to separate them. His motto was quis separabit? He looked upon the amendment as nothing more than a subterfuge to avoid paying those loyal men who had suffered in the rebellions. As to going to England for money, it would be plenty of time to do that after the Parliament had done it; they would then have some grounds to petition for the repayment of sum expended.<sup>58</sup>

COL. PRINCE spoke briefly against the amendment.<sup>59</sup>

MR. ((J.S.)) MACDONALD (Glengary) said that he had been accused of misrepresenting the County of Glengary, and not being its representative; there was not the slightest foundation for such a calumny. If there were to be a public meeting held among his constituents, and they were to declare that he misrepresented them, that moment he would resign.<sup>60</sup> Those who were elected by majorities of from 3 to 7 might be frightened by such threats as had just been uttered, but<sup>61</sup> he had been returned by a majority of 290, and that would show whether or not he was the representative of the men of Glengary.<sup>62</sup> As for the influence of the hon. member from Huron (or Dunlop) he had only to say that that hon. member was the last man whom the people of Glengary would take counsel from.<sup>63</sup> The liberty which had been taken by the Member for Huron, in making such remarks, was an unwarrantable one, and one which no other Member would dare to take. (Order!) He would tell him that when he indulged in such allusions, he was not keeping within proper bounds, and he protested against such language.<sup>64</sup>

MR. ((GEORGE)) SHERWOOD, of Brockville, said that the amendment before the House came with a peculiarly bad grace from the Member for Glengarry, for he believed that the men of that county were the only ones, who had profited by the Rebellion losses, (Cheers and laughter.) If public report speaks truth, they took enough from the people of Lower Canada to pay their share of the losses. (Prolonged laughter.)<sup>65</sup>

(309)

*The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:*

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Morin, Price, Rousseau, Scott, Small, and Watts--(28.)

NAYS.

Brooks, Colville, Cummings, Daly, Dobleury, Attorney General Decker, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGTON, Macdonell of DUNDAS, M'Connell, Merritt, Meyers, Moffatt, Papineau, Powell, Poirer, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of FRONTENAC, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Thompson, Webster, Williams, and Woods.--(41.)

*So it passed in the negative.*

The Honourable Mr. LaFontaine then moved, in amendment to the motion of concurrence, seconded by Mr. Leslie, That all the words after "that," in the said motion be struck out, and the following substituted:--"the said resolution be now recommitted to a Committee of the whole House, to consider the expediency of amending the same, by inserting the word "not" after the words "that it is," in the first line of the said resolution; and by striking out all the words after the words "invasion of Upper Canada," in the said resolution, and by substituting the following words in their stead: "unless provision be made at the same time for the payment of similar claims in Lower Canada."

MR. LAFONTAINE ... spoke at great length ... in French. He complained of the treatment that Lower Canada had received from the present administration, and repeated the ... arguments which he used in committee in support of his position that both Provinces should be placed on a footing of perfect equality.<sup>66</sup>

MR. PAPINEAU ... argued that Upper Canada had a priority of claim because of the existing enactment and said that the members for Lower Canada ought to rejoice in the present scheme as a precedent by which they would benefit at an early day.<sup>67</sup>

MR. MOFFATT said that the amendment of the Member for Terrebonne convinced him of the insincerity of his declarations as to the payment of the losses in either portion of the Province. The amendment was a nullity, it would have no effect, for no action could be taken upon it; it gave no pledge to pay the losses of either Upper or Lower Canada. He should not follow the Honorable Member through his discourse, which was a mere repetition of what he had said upon the previous evening, but he would revert to one or two circumstances in which the honorable gentleman supposed that he (Mr. M) had misunderstood him, when, in point of fact, the misunderstanding was on the other side. The Member for Terrebonne had not redeemed himself from the charge of not having taken any action in the matter of the losses of Lower Canada, while he held office. If the claims were just, then they ought to have been paid, if they were unjust, let the Honorable



Member vote against them altogether. When in office, he had taken no step to liquidate these claims; and as he now acknowledged them to be just, he was not relieved from the imputation of neglect.<sup>68</sup>

MR. LAFONTAINE in explanation said that he was in the Administration but one Session, and it was his intention had he remained in office to have taken up the question.<sup>69</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, the question before the House had been fully discussed in all its details upon two previous occasions. The object was now to concur in a Resolution already adopted, and the proposition involved two simple points. - The first was to give effect to an existing law; and the second to provide the ways and means for the payment of a debt admitted by the Parliament of Upper Canada, and sanctioned by the highest authority of the land, the consent of the Crown. He was therefore at a loss to discover any good grounds of opposition in the argument used upon this occasion. That House was not called upon on this occasion to discuss the principle or detail of the measure; but simply to ascertain if the law to which this Resolution was to give effect, was a law still in existence; and if it were to provide the means for an appropriation to carry out its provisions. This was the real question at issue. The law they were called upon to put in force was the 3rd Victoria, chap. 75 and 76, which provided for the appropriation of the sum of £40,000 out of the rates and duties levied or to be levied, and otherwise unappropriated, to be devoted to the payment of the Rebellion Losses of Upper Canada. This law was passed in the Parliament of Upper Canada in July, 1840, and received the Royal assent in October of the same year. The Union Bill came into operation in February, 1841, or four months after the Rebellion Losses Act became the law of the land. It was therefore indisputable that that Act was an existing law, and the appropriation it made was chargeable upon the Revenues of Upper Canada. It was not necessary that there should have been at that time an unappropriated sum of £40,000 in the Exchequer, for the Act specifically set forth that the appropriation was to be made from the rates and duties now levied or to be levied hereafter. The appropriation thus made became in point of fact a mortgage upon the Revenue of Upper Canada; and the 25th Section of the Union Act providing that all charges existing upon that Revenue, prior to that Act coming into operation, should remain chargeable upon, and to be paid out of, the Consolidated Funds of the Province - it followed as a matter of course that the sum of £10,000 was due from those Funds, and to be paid as soon as there should be that sum unappropriated in the Treasury of the Province. - (Hear.) There could be no doubt upon the point; it was a question of facts, and did not admit of the arguments which had been used against it. It was not for that House at this time to enter into the merits of the claims of Upper Canada, nor to draw any comparison between them and those of Lower Canada; it was not for that House to consider whether the appropriation was one justifiable under the circumstances of the case. But the question was whether the appropriation had been made; and if made if it were still chargeable upon the public Revenue? He had



upon a previous occasion given his opinion as an officer of the Crown that the appropriation had been made, and that the law which made it was in full force. He had felt bound to offer to the House the reasons upon which he came to this conclusion, and he had done so. He had shown that the appropriation had been made prior to the Union, that it had received the sanction of the Crown, and that the Union Act contained an express declaration that nothing therein contained should be construed to affect prejudicially existing charges upon the Revenue of Upper Canada, but that the same should be held to be charges upon the Consolidated Revenue. The interpretation he believed to be a sound one and as yet no argument had been adduced against it. If it were to be pretended that the appropriation was not chargeable upon the Consolidated Revenue because it had not received the Royal Assent before the Union Act passed, it would go to the destruction of the claim; but the express recognition of all existing liabilities up to the moment the latter went into operation, destroyed such an argument; and after this admission it was no longer competent to that House to legislate upon it. Any consideration upon the subject must convince him, members that the opinion he had at first expressed upon this subject was a correct one, and could not be shaken without destroying the enactments on which it was founded. When he had given this opinion at first it had been without time for consideration, and he had offered it with diffidence, but subsequent search (sic) into the merits of the question had convinced him of the correctness of his views. He considered that the hon. member for Terrebonne had departed from the proper course of argument in alluding to the Bill to be brought forward upon this resolution instead of debating upon the merits of the resolution before the House. This was not the proper time to debate upon the Bill. There would be ample opportunities given to discuss the principle of the Bill when it was laid upon the table, and came up for second reading, and it was unfair to do so before that time. He could only look upon the opposition which had been offered to this resolution as an attempt to strangle it in its infancy. - (Hear, hear!) The grounds of objection were too frivolous to allow of any other conclusion. Why was it argued that it would do injustice to Lower Canada, if such were not the case? There was not the shadow of a foundation for such an accusation; there was no intention on the part of the government to do injustice to any portion of the people to the detriment of another. The Resolution was one to give effect to an existing law, recognized by the Legislature and sanctioned by the Crown. The situation of Lower Canada was entirely different from that of the Upper portion of the Province. Here there existed no law, and there had been no appropriation made for the payment of the Rebellion losses, neither had the amount of them been ascertained. If it had been so he would ((have)) been prepared to have brought forward a measure this Session, which would have embraced both sections of the Province. The amount of losses in Upper Canada was restricted to a certain sum, and the appropriation was made in accordance. - The Government was doing no injustice to Lower Canada by attempting to ascertain the amount of its losses before it made an appropriation to meet them. There was no inconsistency in such a course, on the contrary the inconsistency would be in doing otherwise. It was absurd to expect Ministers to ask that

House to pledge itself to the payment of an indefinite and unlimited amount. It was for those reasons that he looked upon every objection offered on this occasion as a deliberate attempt to destroy it. The member for Glengary had attempted to destroy it on the plea of an application at the Imperial Parliament. Where was the justice of such a course? This was the very period at which such an application ought not to be made. There was no intention in this application of meeting these claims in a just spirit, but it was an attempt to escape from an acknowledged liability voluntarily assumed by the Province. The House was not to be blinded by such a shallow device; it was too apparent, that there was no intention on the other side to pay these claims, but there was to avoid them by putting off all action from Session to Session. The resolution before the House was one which gave effect to an existing law, it did not create that law. Whenever the claims of Lower Canada were ascertained, he was prepared to assume the same responsibility. It had been denied that the losses of Upper Canada had been ascertained, but that those of Lower Canada were liquidated. He fell back upon the limitation, that was the principle that he stood upon; the liquidation was no part of the principle of the measure, that was involved in the limitation.<sup>70</sup> -

How did the case stand?<sup>71</sup>

((MR. JAMES SMITH resumed:)) A commission had been appointed by that most obnoxious body the Special Council, that council which hon. gentlemen opposite were so eager to repudiate and to exclaim, "We will have none of your laws, for none of them are good for anything." A commission was issued by this most obnoxious body, which was now invoked as the basis of legislation, because it suited those gentlemen to blow hot one day, and cold the next - it sat a short time when its labors were prematurely brought to a close after a partial investigation, and the remaining losses were yet to be ascertained. These were of great variety, and that alone was a sufficient reason to prevent ministers recommending an appropriation pending an investigation still incomplete. It was better to suspend all action upon the question for a short time, he trusted for no longer than one year, until the whole amount of claims could be ascertained. As it had been justly observed by the member for Ottawa, this resolution ought to be satisfactory to the members for Lower Canada as it went to render the eventual settlement of the claims more sure and certain. When he had been called upon at the commencement of the Session, he had answered that it was not the intention of the Government to make an appropriation for this purpose, because the amount was not ascertained. If the amount had been ascertained and limited, he would have been prepared to have gone into them this Session. He concluded by remarking that he considered that all the arguments which had been used in opposition to the resolution ought to have been reserved for the second reading of the Bill, which would be introduced thereupon.<sup>72</sup>

MR. AYLWIN next rose.... He commenced portraying (sic) the present position of the ministry in perpetrating this their last and greatest blunder.

Their reign had been a series of blunders both as to form and substance but this act of plain unmitigated pandering to one section of the Province to the sacrifice of the other, must for ever brand them as incapable and unworthy. The late Administration (said the honourable member) was frequently taunted with legislating in disregard of the views and feeling of Upper Canada, but what was the fact? Why that so far from ever taking such advantage of their majority they (the late Ministry) actually in one instance withdrew a measure relating to Upper Canada because they saw it would be carried only by a majority of eight or nine. This was the deference with which they treated the feelings of the people of Upper Canada. Is anything of this kind now shewn to Lower Canada? - What distinguishes the present proceeding? Heavy losses were suffered in both sections of the Province from a foul Rebellion; it was a foul rebellion, but in Upper Canada it was the work of men of British origin; in Lower Canada the people were seduced, and many circumstances conspired to palliate their conduct, the difference of origin, and especially of language operated much to bring the French people into that unhappy affair; yet when the time arrives to indemnify for the losses consequent upon the rebellion throughout the country we find that instead of doing justice to all without distinction the saxon born rebels are singled out for prompt favor, and the French sufferers are told to wait; the old form of inferiority is revived against the French; an English prejudice will pursue this course, some men like the Bourbons will not be taught, they will persist: from no event can they derive even the smallest lesson of political wisdom.

Then again, continued the hon. member, it is somewhat striking to see by whom this measure is introduced. It comes not from the English members of the Ministry those in whose hands it would be somewhat seemly. No! the hon. member for Ottawa is put forward on the occasion! He it is who suffers himself to be thrust on the stage to outrage the feelings of his Countrymen! Alas! for the honorable member for Ottawa, with his recollections, with the name he bears, his position is truly, deeply, humiliating. He (Mr. Aylwin) knew another individual who bore the name of the honorable member for Ottawa who if by any species of Indian jugglery it were attempted to put him forward to fight the battle of Upper Canada to the manifest injury of his own section of the Province, would spurn such a proposal; to him it could only be made once and then would it be scornfully rejected. The honorable member next entered into the history of the outrages committed in Lower Canada by the troops under the eye of the highest authority, outrages which would not be committed in an enemy's country: - murder, rapine, arson and other crimes which could not be named, & the churches of St. Eustache and St. Benoit destroyed, the latter without a shadow of cause. He (Mr. Aylwin) remembered seeing the 15th Regiment return from St. Eustache and his reflection upon looking at them was that they had demoralized themselves, and that retributive justice awaited them. This prediction has been verified. In England lately the 15th Regiment have been disgraced, they had signalized themselves in infamy, and a special brand has been set upon them altho' their commander is the son of the Duke of Wellington. The hon. member next exposed in a masterly manner the fallacy of the pretension that Upper Canada has established a better case for immediate relief than (sic)



Lower Canada. The chief thing relied upon was the act passed in the Parliament of Upper Canada, although that act stated that as to the manner of payment it was entirely prospective, and contingent; payment was to be made in debentures when they could be issued. The claims of U.C. he (Mr. A) contended were not better nor even as well established as those of Lower Canada. The £40,000 was a mere guess sum; a new operation should be gone through in Upper Canada, commissioners should re-begin; whereas in Lower Canada the cases of the churches & others were clearly established ((and)) have been & (sic) petitioned about.

No sympathy however existed for these losses - it was forsooth, all expended upon the President of the Council for his unjust sufferings in gaol - the President of the Council who had been accused of an intention to give £20,000 to raise the bonnets bleus du nord altho' if his accusers had known anything at all of him they would know that he would not spend 20,000 pence in that or any other project. Mr. Aylwin concluded by a ... defence of the late Ministry in not taking up the rebellion losses; they found, he said, other and just debts due and they thought the credit of the country demanded the liquidation of those claims first. Nor was he (Mr. Aylwin) convinced that the present state of the revenue warranted the consideration of these losses; he was much disposed to think that the first and chief consideration of certain members of the Ministry was the ministering of soft sawder to Upper Canada.<sup>73</sup> The cry of "question" become general. Mr. Aylwin yield to this cry, and sat down.<sup>74</sup>

(309)

*The question of concurrence being put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desaunier, DeWitt, Drummond, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Morin, Powell, Rousseau, Scott, Small, and Smith of WENTWORTH.--(30.)

NAYS.

Brooks, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau, Petrie, Price, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, Williams, and Woods.--(42.)

*So it passed in the negative.*



The question being then put on the said resolution, the House divided thereon, and the names being called for, they were taken down as followeth:--

## YEAS.

Brooks, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hall, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonnell of DUNDAS, M'Connell, Meyers, Moffatt, Murney, Papineau, Poad, Parrie, Prince, Riddell, Robinson, Roblin, Scott, Seymour, Sherwood of BROOKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Welster, Williams and Woods.--(43.)

## NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Guillet, John, Lacroix, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonnell of STORMONT, Merritt, Méthot, Morin, Price, Rousseau, Small and Watts.--(30.)

So it was carried in the affirmative, and

Resolved, That it is expedient to make provision for giving effect to a certain Act of the Legislature of Upper Canada, as amended by an Act of the Legislature of this Province, and relating to the payment of Claims arising out of the late Rebellion and Invasion of Upper Canada; and to appropriate the moneys arising from Tavern licenses to local purposes; applying such portion thereof as may belong to localities in Upper Canada, to the payment of the said claims until the same be fully paid.

(310)

Ordered, That the Honourable Mr. Papineau have leave to bring in a Bill to provide for the payment of Claims arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the Duties on Tavern licenses to local purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Winter Roads.

The Order of the Day for the House in Committee, on the Bill further to amend the Laws relative to Winter Roads in Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

*Mr. Macdonell of Dundas, took the chair of the Committee.*<sup>75</sup>

Les membres des districts de Québec, Gaspé et Trois Rivières, étaient contraints de voter pour ce bill sans la passation duquel, disaient-ils, ils craignaient de ne pouvoir soustraire leurs districts à l'opération de l'ordonnance du conseil spécial.<sup>76</sup>

Plusieurs membres répétèrent leurs observations de la veille.<sup>77</sup>

MR. CAUCHON was for about 20 minutes on his legs endeavouring but without success to obtain a hearing.<sup>78</sup>

MR. ARMSTRONG made frequent appeals on behalf of his constituents whose county adjoins the District of Three Rivers, and who ... he ... ((claimed)) were as much entitled to exemption as if they were attached to that District; but the majority would not listen to argument.<sup>79</sup> ((Il dit)) "M. le président, je suis réellement étonné d'entendre le bruit qui se fait de l'autre côté de la chambre. De soir en soir nous avons patiemment et poliment entendu pendant des quatre ou cinq heures, des discussions sur toutes les petites mesures locales, dont il plait à chacun des membres de la droite d'occuper la chambre. Oui, monsieur, des taxes sur les chiens, les chats, et je ne sais quoi d'aussi ridicule; quand il s'agit d'une mesure qui regarde environ 100,000 habitants, et qui tend à imposer pour £2000 à £3000 de taxations; et quand il se lève un membre bien au fait du sujet, il est mis à bas, on étouffe sa voix, comme mon honorable ami pour le comté de Montmorency; et qui peut mieux que lui connaître les désirs et les besoins des habitants du Bas-Canada? Et qui, malgré ces efforts si contraires à la politesse du gentilhomme, et de l'Anglais, qui peut mieux exprimer les sentiments de ses compatriotes qu'il ne l'a fait dans cette circonstance? M. le président si nous devenons sujets à un semblable traitement, le plus court, pour ce côté-ci de la chambre, serait de laisser la salle."<sup>80</sup>

M. LAFONTAINE ajouta que, puisque la majorité était en faveur de cette loi, il proposerait qu'un délai de trois ans fût donné aux habitants pour se défaire de leurs anciennes voitures, et s'en procurer de nouvelles.<sup>81</sup>

Son amendement fut perdu, la majorité votant contre.<sup>82</sup>

((M. LAFONTAINE:))... suggéra alors de refondre toutes les lois des voitures d'hiver en une seule, afin de les rendre plus intelligibles au public, et de moins exposer les habitants aux persécutions des officiers de police.<sup>83</sup>

Cette suggestion même ne fut pas adoptée.<sup>84</sup>

(310)

*and after some time spent therein,*

Mr. Speaker resumed the chair,

And Mr. Macdonell reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Mr. Speaker having put the question,

Shall the Report be now received?

Mr. Gowan moved, in amendment, seconded by Mr. Brooks, that the words "this day six months," be substituted for the word "now".

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Brooks, Cauchon, DeWitt, Foster, Gowan, Lacoste, Lafontaine, Leslie, Macdonell of DUNDAS, Morin, and Price--(13.)

NAYS.

Aylwin, Berthelot, Chabot, Chauveau, Christie, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Emmatinger, Greive, Guillet, Hale, Hall, Jessup, Lantier, Laurin, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Meyers, Moffatt, Murney, Powell, Petrie, Prince, Riddell, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Webster, Williams, and Woods--(44.)

So it passed in the negative.

The Report was then received, and the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

Orders of the Day.

Mr. DeWitt moved, seconded by Mr. Chabot, that the remaining Orders of the Day be postponed until Monday next.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Cauchon, Chabot, Chauveau, Christie, DeWitt, Drummond, Lacoste, LaFontaine, Macdonald of GLENGARRY, Méthot, Morin, Fowell,

Price, Prince, and Rousseau--(18.)

NAYS.

Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Lantier, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Meyers, Moffatt, Murney, Petrie, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, Williams, and Woods--(36.)

So it passed in the negative.

The Honourable Mr. Morin moved, seconded by Mr. Powell, that the House do now adjourn.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Cauchon, Chabot, Chauveau, Christie, DeWitt, Drummond, Duggan, Ermatinger, Guillet, Lacoste, LaFontaine, Lantier, Laurin, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Moffatt, Morin, Powell, Price, Roblin, Watts, and Woods--(28.)

NAYS.

Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Dunlop, Foster, Gowan, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, M'Connell, Meyers, Murney, Petrie, Prince, Riddell, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Webster, and Williams--(28.)

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

Mr. Macdonald, of Glengarry, moved, seconded by Mr. Powell, that the remaining Orders of the Day be postponed until Monday next; and that the Order of the Day for the House in Committee to consider the expediency of repealing certain Acts imposing duties on Customs, and for other purposes connected with the Revenue, and for enacting others in lieu thereof, be then the first Order of the Day.

The question having been put on the said motion a division ensued, and the names being called for, they were taken down as followeth:--



YEAS.

Aylwin, Baldwin, Berthelot, Cauchon, Chabot, Chauveau, Christie, Cummings, DeWitt, Attorney General Draper, Drummond, Duggan, Ernatinger, Guillet, Lacoste, LaFontaine, Lantier, Laurin, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Meyers, Moffatt, Morin, Powell, Price, Riddell, Robinson, Roblin, Stewart of BYTOWN, and Woods--(33.)

NAYS.

Daly, Dickson, Dunlop, Foster, Gowan, Greive, Hale, Hall, Jessup, M'Connell, Murney, Petrie, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Watts, Webster, and Williams--(20.)

So it was carried in the affirmative, and

Ordered accordingly.

Mr. Cauchon moved, seconded by Mr. Chabot, that the House do now adjourn.

(311)

Adjournment.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Cauchon, Chabot, Chauveau, Christie, Cummings, DeWitt, Attorney General Draper, Drummond, Duggan, Greive, Guillet, Hale, Lacoste, LaFontaine, Lantier, Laurin, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, M'Connell, Méthot, Meyers, Morin, Powell, Petrie, Price, Riddell, Robinson, Roblin, and Woods--(34.)

NAYS.

Daly, Dickson, Dunlop, Foster, Gowan, Hall, Jessup, Murney, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, and Williams.--(17.)

So it was carried in the affirmative, and

The House adjourned accordingly.

FOOTNOTES - 28 FEBRUARY 1845.

1. The debate on this matter was reported by: the BROCKVILLE RECORDER, 6 March 1845; MONTREAL GAZETTE, 1 March 1845, copied by BRITISH WHIG, 7 March 1845; MONTREAL TRANSCRIPT, 1 March 1845; and LE JOURNAL DE QUEBEC, 8 March 1845.
2. BROCKVILLE RECORDER, 6 March 1845.
3. IBID.
4. IBID.
5. MONTREAL GAZETTE, 1 March 1845.
6. IBID.
7. BROCKVILLE RECORDER, 6 March 1845.
8. The debate on this matter was reported by: the KINGSTON CHRONICLE, 5 March 1845, in an account abbreviated but otherwise identical to that in the MONTREAL GAZETTE, 1 March 1845, which was copied by the BRITISH WHIG, 7 March 1845; L'AUREOLE, 6 March 1845, and LA MINERVE, 3 March 1845, in identical accounts; the BROCKVILLE RECORDER, 13 March 1845, and GLOBE, 11 March 1845, in accounts which contain some identical speeches, and some which are completely dissimilar; and the MONTREAL TRANSCRIPT, 1 March 1845. KINGSTON NEWS, 6 March 1845, noted the debate. Whenever the MONTREAL GAZETTE is difficult to read the identical account in the KINGSTON CHRONICLE has been selected in its place.
9. GLOBE, 11 March 1845.
10. IBID.
11. BROCKVILLE RECORDER, 13 March 1845.
12. MONTREAL GAZETTE, 1 March 1845.
13. BROCKVILLE RECORDER, 13 March 1845.
14. GLOBE, 11 March 1845.
15. BROCKVILLE RECORDER, 13 March 1845.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID., which noted that he spoke "with considerable warmth".
23. IBID.
24. IBID.
25. MONTREAL GAZETTE, 1 March 1845.
26. BROCKVILLE RECORDER, 13 March 1845.
27. IBID.
28. MONTREAL GAZETTE, 1 March 1845.
29. BROCKVILLE RECORDER, 13 March 1845.
30. KINGSTON CHRONICLE, 5 March 1845.
31. GLOBE, 11 March 1845.
32. KINGSTON CHRONICLE, 5 March 1845.
33. GLOBE, 11 March 1845.
34. KINGSTON CHRONICLE, 5 March 1845.
35. GLOBE, 11 March 1845.
36. KINGSTON CHRONICLE, 5 March 1845. KINGSTON NEWS, 6 March 1845, commented

that Smith "defended himself and his colleagues with more warmth than judgment."

37. BROCKVILLE RECORDER, 13 March 1845.

38. IBID.

39. IBID.

40. IBID.

41. IBID.

42. MONTREAL GAZETTE, 1 March 1845.

43. BROCKVILLE RECORDER, 13 March 1845.

44. MONTREAL GAZETTE, 1 March 1845.

45. BROCKVILLE RECORDER, 13 March 1845.

46. MONTREAL GAZETTE, 1 March 1845.

47. BROCKVILLE RECORDER, 13 March 1845.

48. The debate on this matter was reported by: the PILOT, 3 March 1845; LA MINERVE, 3 March 1845, and L'AUREOLE, 6 March 1845, in identical accounts; MONTREAL GAZETTE, 1, 4, March 1845, copied by BRITISH WHIG, 7 March 1845; MONTREAL TRANSCRIPT, 1 March 1845; and LE JOURNAL DE QUEBEC, 8, 11, March 1845.

49. MONTREAL GAZETTE, 1 March 1845, which almost always spells Glengarry with a single r. Because the word occurs so often in the following passages, it will be reproduced without a (sic) to indicate the inaccuracy.

50. PILOT, 3 March 1845.

51. MONTREAL GAZETTE, 1 March 1845.

52. PILOT, 3 March 1845.

53. MONTREAL GAZETTE, 1 March 1845.

54. IBID.

55. IBID.

56. PILOT, 3 March 1845.

57. IBID.

58. MONTREAL GAZETTE, 1 March 1845.

59. IBID.

60. IBID.

61. PILOT, 3 March 1845.

62. MONTREAL GAZETTE, 1 March 1845.

63. PILOT, 3 March 1845.

64. MONTREAL GAZETTE, 1 March 1845.

65. IBID.

66. PILOT, 3 March 1845.

67. IBID.

68. MONTREAL GAZETTE, 1 March 1845.

69. IBID.

70. IBID., 4 March 1845.

71. IBID.

72. IBID.

73. PILOT, 3 March 1845. Both the MONTREAL GAZETTE, 4 March 1845, and the MONTREAL TRANSCRIPT, 1 March 1845, noted that when Aylwin spoke, for about one hour and twenty minutes, the Ministerial benches were almost totally deserted. The TRANSCRIPT said that his getting up on his feet to speak "was a sign for a number of members to leave their seats...."

74. MONTREAL TRANSCRIPT, 1 March 1845, which added that Aylwin sat down "in a huff".

75. The debate on this matter was reported by: LA MINERVE, 3 March 1845; L'AUORE, 6 March 1845, which merely noted it; MONTREAL GAZETTE, 4 March 1845, whose report was noted by BRITISH WHIG, 7 March 1845; PILOT, 3 March 1845; and LE JOURNAL DE QUEBEC, 13 March 1845. All sources agree that this debate was stormy and engendered much bitter emotionalism.

76. LA MINERVE, 3 March 1845.

77. IBID.

78. PILOT, 3 March 1845.

79. IBID.

80. LE JOURNAL DE QUEBEC, 13 March 1845.

81. LA MINERVE, 3 March 1845.

82. IBID.

83. IBID.

84. IBID.



MONDAY, 3 MARCH 1845.

(311)

Petitions  
brought up.

THE following Petitions were severally  
brought up, and laid on the table:--

By Mr. Foster, the Petition of Dudley Kerrison and others, of Shefford, in the district of Montreal.

By the Honourable Mr. Attorney General Draper, the Petition of William B. Jarvis, Esquire, Sheriff of the Home district; the Petition of Edward G. O'Brien and others, members of the United Church of England and Ireland, in the township of Adelaide, in the district of London, (relating to ((common schools));) the Petition of Joseph Seabrook and others, members of the United Church of England and Ireland, in the township of Carradoc, in the district of London, (relating to common schools;) the Petition of Richard Jennings and others, Boot and Shoemakers, of the town of London, in the district of London; and the Petition of William Begg and others, Presbyterians, of the town of London.

By the Honourable Mr. Morin, the Petition of Robert Ross and others, of Frampton, and other townships, in the district of Quebec.

By Mr. Chalmers, the Petition of Thomas Morden and others, of the township of West Flamborough.

By Mr. M'Connell, the Petition of John Girdwood, in behalf of certain members of the Baptist denomination, assembled at a meeting at Barnston Corner, (relating to Education;) the Petition of John Girdwood, in behalf of certain members of the Baptist denomination, assembled at a meeting at Barnston Corner, (relating to the Clergy Reserves.)

By Mr. Macdonell, of Stormont, the Petition of James L. Cryslar and others, of the township of Fynch, in the county of Stormont; the Petition of John Montgomery and others, of the township of Roxborough, in the Eastern district; and the Petition of Adam Johnston and others, of the town, and township of Cornwall.

By the Honourable Mr. Attorney General Smith, the Petition of the Reverend R. Whitwell and others, of the parish of St. Armand, West, (relating to King's College;) and the Petition of the Reverend R. Whitwell and others, members of the Church of England, in the parish of St. Armand, West, (relating to Clergy Reserves.)

By the Honourable Mr. Baldwin, the Petition of J. H. Syder, and others, of Yarmouth, in the district of London; and the Petition of William Armstrong and others, of Eramosa, and other townships in the district of Wellington.

By Mr. Dunlop, the Petition of William B. Rich and others, of the township of Goderich and its neighbourhood; and the Petition of Joseph Gely, of the parish of St. Joseph, Point Levy.

By Mr. Merritt, the Petition of William C. Chase and others, of the district of Niagara, in Canada West.

By Mr. Watts, the Petition of Benjamin Therien and others, of the counties of Drummond and Yamaska.

By the Honourable Mr. Moffatt, the Petition of the Reverend R. H. Bourne and others, the minister and members of the United Church of England and Ireland, in the township of Rawdon, (relating to the Clergy Reserves).

By Mr. Duggan, the Petition of the Reverend George S. J. Hill and others, members of the United Church of England and Ireland, in the mission of Chinguaconsy, in the Gore of Toronto, and parts adjacent, (relating to the Clergy Reserves); and the Petition of the Reverend Alexander Sanson and others, members of the United Church of England and Ireland, in the diocese of Toronto, (relating to the Clergy Reserves).

By Mr. Stewart, of Bytown, the Petition of Robert Lang and others, of Bytown.

By Mr. Chauveau, the Petition of Laurent Tremblay and others, Pilots for the River St. Lawrence, in and below the harbour of Quebec.

By Mr. Macdonald, of Kingston, the Petition of James Kerr and others, of the town of Kingston.

By Mr. Gowan, the Petition of Cornelius H. Finlay, of Montreal, Contractor; and the Petition of James Hunter, M. D., of the township of Whitby, in the Home district.

By Mr. Chabot, the Petition of G. Vanfelson, Esquire, and others, Members of the Quebec Bar Association.

By Mr. Smith, of Wentworth, the Petition of the Municipal Council of the district of Gore, (relating to Common Schools).

By Mr. Smith, of Frontenac, the Petition of Richard Logan, of the village of Portsmouth, in the Midland district.

By the Honourable Mr. LaFontaine, the Petition of P. P. Demaray, of St. Jean.

MR. SMALL moved for leave to bring up the petitions of John Strickland of the Townships of Whitby of Garret Molloy of the Township of breach complaining of unjust and arbitrary conduct of the agents of the Board of Works in taking possession of certain portions of the property of the petitioner under pretext of their being required for the public road leading from Windsor Harbour to Lake Scugog. In bringing up these petitions the hon. gentleman requested leave to read them to the House with a view of calling the attention of Her Majesty's Ministers to the complaints therein contained, and at the same time remarked, that in consequence of similar complaints, he had upon a former occasion moved an address to His Excellency the Governor General requesting that copies of certain petitions and complaints to the Executive Government and Board of Works upon the subject of the said Board be laid before this House, but that up to the present time no notice had been taken by the Government of such address. The hon. gentleman, hoped that his now calling the attention of Ministers to the subject would have the desired effect, and that he should not be driven to move another address to the Governor General requesting attention to the former one. His intention was, when the information asked was furnished, to refer the whole with these petitions to a select committee to investigate the matter of complaint, with power to send for persons and paper (sic) and to report thereon. He again said before sitting down, that he hoped the information asked for by the address which had been adopted by the House and presented some time since would be furnished without further delay.<sup>1</sup>

(311)

*By the Honourable Mr. Small, the Petition of John Strickland, of the township of Whitby, in the Home district; and the Petition of Garret Molloy, of the township of Feach, in the Home district.*

*By Mr. Hale, the Petition of the Reverend L. Doolittle, and others, members of the Church of England, in Sherbrooke and Lennoxville, (relating to the Clergy Reserves).*

*By Mr. Ermatinger, the Petition of John W. Kerr and others, members of the Church of England and Ireland, in Bayham and other townships.*

Insolvent Debtors.

*An engrossed Bill to afford relief to Insolvent Debtors, was read for the third time.*

Resolved, *That the Bill do pass, and the title be, "An Act for the relief of Insolvent Debtors in Upper Canada, and for other purposes therein mentioned.*

(312)

Ordered, *That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council, and desire their concurrence.*

Winter Roads.

Pursuant to the Resolution of this House, of the ninth of September, 1842, the engrossed Bill further to amend the Laws relative to Winter Roads in Lower Canada, was brought up to be read for the third time.

Mr. Gowan moved, seconded by the Honourable Mr. Morin, that the Bill be not read, but that it be referred to the Select Committee, to which was referred the Petition of Michel Houle and others, of the city of Montreal; Carters, and other references; and that Mr. Brooks and Mr. Lacoste be added to the said Committee; and that the said Committee have power to report by Bill or otherwise.<sup>2</sup>

The hon. gentleman ((MR. GOWAN)) represented that in its present shape it was a most imperfect measure.<sup>3</sup>

((There was)) some discussion<sup>4</sup> .

(312)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Brooks, Cauchon, Chabot, Chauveau, Christie, Daly, DeWitt, Foster, Gowan, Johnston, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Morin, Papineau, Powell, Price, Smith of WENTWORTH, Taché, Thompson, and Watts.--(31.)

NAYS.

Chalmers, Colville, Cummings, DeBleury, Attorney General Draper, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Petrie, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Webster, Williams, and Woods.--(36.)

So it passed in the negative.

The Honourable Mr. LaFontaine moved, seconded by Mr. Leslie, that the said Bill be read for the third time, this day six months.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--



## YEAS.

Armstrong, Baldwin, Berthelot, Brooks, Caucher, Chabot, Christie, Desautier, DeWitt, Foster, Gowan, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Morin, Powell, Price, and Small.--(23.)

## NAYS.

Aylwin, Bertrand, Chalmers, Chauveau, Colville, Cummings, DeBligny, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Wills, Williams, and Woods.--(43.)

So it passed in the negative.

The Honourable Mr. LaFontaine then moved, seconded by Mr. Leslie, that the said Bill be recommitted to a Committee of the whole House, for the purpose of considering the expediency of consolidating all the Laws regulating Winter vehicles in Lower Canada.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

## YEAS.

Armstrong, Baldwin, Brooks, Caucher, Chabot, Chauveau, Christie, DeWitt, Drummond, Foster, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Powell, Price, Small, and Watts.--(22.)

## NAYS.

Aylwin, Bertrand, Chalmers, Colville, Cummings, DeBligny, Desautier, Attorney General Draper, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Webster, Williams, and Woods.--(42.)

*So it passed in the negative.*

*The Honourable Mr. Papineau moved, seconded by Mr. Brooks, that the said Bill be referred to the Select Committee to which was referred the Petition of Michel Houle and others, of Montreal, Carters, and other references; with an instruction to the said Committee to inquire into the propriety of continuing the amendments made by the Legislature of Canada to the original Ordinance of the Special Council, until the end of the next Session of Parliament.*

MR. AYLWIN opposed the motion; it would tend to the establishment of the odious Sleigh Ordinance, and would fill the gaols with respectable men who would oppose its being carried into effect as they had done before.<sup>5</sup>

(312)

*The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*Armstrong, Baldwin, Brooks, Cauchon, Chabot, Christie, DeWitt, Foster, Gowan, Lacoste, LaFontaine, Leslie, Merritt, Méthot, Morin, Papineau, Powell, Price, Small, and Thompson--(20.)*

NAYS.

*Aylwin, Berthelot, Bertrand, Chalmers, Chauveau, Colville, Cummings, DeBleury, Desaunier, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Lantier, Laurin, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Petrie, Prince, Riddell, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Watts, Webster, Williams, and Woods--(45.)*

*So it passed in the negative.*

*The Honourable Mr. LaFontaine moved, seconded by Mr. Leslie, that the said Bill be recommitted to a Committee of the whole House, for the purpose of considering the expediency of extending the provisions of the said Bill, and of the Ordinances therein mentioned, to that part of this Province heretofore called Upper Canada.*

M. LAFONTAINE ... dit ((aux membres du Haut-Canada)): puisque vous trouvez ce que vous proposez si excellent, vous ne refuserez pas de l'accepter pour vous-même.<sup>6</sup> A laugh.<sup>7</sup>

(312)

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Berthelot, Cauchon, Chabot, Christie, Foster, Lacoste, LaFontaine, Lantier, Laurin, Leslie, Morin, Papineau, Small, Smith of WENTWORTH, and Thompson--(16.)

NAYS.

Aylwin, Bertrand, Brooks, Chalmers, Chauveau, Colville, Cummings, DeBleury, Desautier, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Macdonald of

(313)

CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Méthot, Meyers, Moffatt, Murney, Powell, Petrie, Price, Prince, Ridaell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Taché, Watts, Webster, Williams, and Woods--(49.)

So it passed in the negative.

The said Bill was then read for the third time.

The Honourable Mr. DeBleury moved, seconded by Mr. Colville, that the Bill do pass, and the title be, "An Act further to amend the Laws relative to Winter Roads in Lower Canada."

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Aylwin, Berthelot, Bertrand, Chalmers, Chauveau, Colville, Cummings, DeBleury, Desautier, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Greive, Guillet, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Petrie, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Thompson, Watts, Webster, Williams, and Woods--(46.)

## NAYS.

Armstrong, Brooks, Cauchon, Chabot, Christie, DeWitt, Foster, Gowan, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Morin, Powell, Price, and Small--(20.)

*So it was carried in the affirmative, and*

Resolved accordingly.

Ordered, That the Honourable Mr. DeBleury do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

*Pursuant to the Order of the Day, the following Petitions were read:--*

*Of the Reverend William Abbott and others, members of the Protestant Episcopal congregation at St. Andrews; of the Reverend Richard Anderson and others of New Ireland and Inverness, members of the Church Society of the diocese of Quebec; of E. Armstrong and others, members of the Church of England, in the Riviere du Loup mission; and of the Reverend William T. Leach and others, the minister and members of St. George's Church, Montreal, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the Church of England, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.*

*Of the Bank of Montreal, the City Bank, and the Banque du Peuple; and of James Gibb, Esquire, President of the Quebec Bank, praying for a repeal or reduction of the tax now imposed by law upon the circulation of Bank notes.*

*Of the Widow Mary Allen, of Sherrington, in the county of Huntingdon, praying for an annual aid in consideration of the death of her husband the late Corporal James Allen of the Sherrington Loyal Volunteers, who fell at the battle of Odelltown, in the year 1838.*

*Of Henry W. Sache and others, of the district of Bathurst, praying that an Act may be passed to prevent unqualified persons from practising as conveyancers in this Province.*

*Of E. M'Naughton, and others of the Island of Montreal, praying for the establishment of a Turnpike road from Ste. Anne to Montreal, through the centre of the Island.*

*Of John A. Eakins, and others of Sparta, in the London district; and of Jeremiah Wilson, and others of Westminster, in the London*



district; praying that no alteration may be made in the present manner of disposing of the Clergy Reserves.

Of the Reverend Louis Théophile Fortier and others of Nicolet, praying that the Bill to provide for Elementary Instruction in Lower Canada may not be passed in its present form.

Of M. Héroux and others, of St. Phillippe and other parishes, praying to be remunerated for their services as "Chasseurs Canadiens."

Petitions  
referred.

W. Barrett  
and others.

J. Charters  
and others.

Ordered, That the Petition of William Barrett and others, the commissioners of Common Schools in the township of Hemmingford, in the county of Beauharnois; and the Petition of John Charters and others, of the village of St. Jean Chrysostome, in the county of Beauharnois, be severally referred to the Select Committee, to which was referred the Bill to make better provision for Elementary Instruction in Lower Canada.

Rev. L. T.  
Fortier and  
others.

Ordered, That the Petition of the Reverend Louis Théophile Fortier and others, of Nicolet, be referred to the said Committee.

J. Tate and  
P. Flemming.

Ordered, That the Petition of John Tait, of Cornwall, and the Petition of Peter Fleming, of Montreal, Civil Engineer, be severally referred to the Select Committee to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal, with instructions to the said Committee, and other references.

J. Whitlaw  
and W. Tennant.

The Honourable Mr. DeBleury moved, seconded by Mr. Smith, of Frontenac, that the Petition of John Whitlaw and William Tennant, of Montreal,<sup>8</sup> be referred to the said Committee.

((This motion)) was opposed by the ATTORNEY GENERAL ((MR. JAMES SMITH)), who referred to the length of time which had been allowed to expire since the debt was contracted.<sup>9</sup>

(313)

The question having been put on the said motion, a division ensued, and it passed in the negative.

T. A. Stayner,  
Esquire.

Ordered, That the Petition of T. A. Stayner, Esquire, and others, proprietors of land in the Eastern townships of Lower Canada,

residing in the city of Montreal, be referred to the Select Committee to which was referred the Bill to repeal certain Ordinances, therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada; with an instruction to the said Committee, and other references.

H. Mittleberger  
and others.

Resolved, That the Petition of H. Mittleberger  
and others, of St. Catharines, in the  
Niagara district, be referred to a Select

Committee, composed of Mr. Merritt, Mr. Cummings, and Mr. Thompson, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Municipal  
Council, Dis-  
trict of Vic-  
toria.

Ordered, That the Petition of the Municipal  
Council of the district of Victoria,  
(relating to the Common School Act,) be  
referred to the Select Committee to which  
was referred the Petition of the Right

Reverend the Lord Bishop of Toronto and others, members of the United Church of England and Ireland, in the city and vicinity of Toronto, (relating to Schools,) and other references.

G. Shaw.

Ordered, That the Petition of George Shaw, of  
the city of Montreal, be referred to the

Select Committee to which was referred the Bill to extend the provisions

(314)

of the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the Disposal of Public Lands," and to enable persons who located lands prior to the fourth of April, 1839, to perfect their titles to the same, and other references.

R. E. Burns  
and others.

Resolved, That the Petition of Robert E. Burns  
and others, members of the Legal profession,  
be referred to a Select Committee, composed

of the Honourable Mr. Attorney General Draper, the Honourable Mr. Baldwin, Mr. Macdonald, of Kingston, Mr. Duggan, and Mr. Macdonell of Dundas, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

J. Grant  
and others.

Resolved, That the Petition of James Grant and  
others, of the third concession of the town-  
ship of Winchester, in the county of Dundas,

be referred to a Select Committee, composed of Mr. Macdonell of Dundas, Mr. Roblin, Mr. Macdonell of Stormont, Mr. Hall, and Mr. Webster, to examine the contents thereof, and to report thereon with

all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

LEGISLATIVE COUNCIL,  
Monday, 3rd March, 1845.

Presenting Ad-  
dresses to His  
Excellency the  
Governor  
General.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that His Excellency, the Governor General, has appointed to-morrow, at half-past three o'clock, P. M., at the Government House, in this city, to be

attended with the Addresses of both Houses of Parliament on the subject of the French language, and that the Legislative Council do intend to be there at that time.

Attest.

CHARLES DE LERY,  
Clerk Asst. Legislative Council.

And then he withdrew.

On motion of the Honourable Mr. Morin, seconded by Mr. Chabot,

Ordered, That the time for receiving Reports of Select Committees on Private Bills, be further extended until Friday next.

Private Bills.

The Honourable Mr. Morin, from the Standing Committee on Private Bills, presented to the House, the thirteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Christian  
Unitarians.

Your Committee have examined the Bill to afford relief to a certain religious congregation at Montreal, denominated "Christian Unitarians," and have agreed to the same without amendment.

Pères Oblats.

They have also examined the Bill to incorporate "Les Reverends Pères Oblats de l'Immaculée Conception de Marie," in the Province of Canada, and have made certain amendments thereto, which they beg leave to submit for the consideration of Your Honourable House.

Quebec Forwarding Company.

They have further examined the Bill to incorporate certain persons under the name of the Quebec Forwarding Company, to which they have also made several amendments, which are submitted for the consideration of Your Honourable House.

Montreal Board of Trade.

The Committee have also taken into consideration the Petition of the Montreal Board of Trade; and for the reasons which have induced the Committee to impose a greater liability upon the shareholders in the Quebec Forwarding Company, than in other cases, they beg to refer to the evidence annexed.

Province Line Railroad.

They also examined the Bill to Incorporate a Company to construct a Railroad from the River St. Lawrence near Montreal, to the Province Line in the Township of Stanstead, to which they have also made several amendments, which are submitted for the consideration of Your Honourable House.

---

EVIDENCE.

James Dean, Esquire, called in and examined:--

Quebec Forwarding Company.

Are you connected with the Quebec Forwarding Company?--I am. The Company has been two years in existence, and I am one of the Directors.

What is the object of the Company?--To transport goods from Quebec to the Upper Lakes, and vice versa.

Objections have been raised as to the sufficiency of the liabilities, if they are to be limited to the subscribed capital; would you give your views on the subject?--Unless the objection be considered in principle, I consider that there is more responsibility with that Company than with others; the subscribed capital is all paid in, and is sufficient for the present objects of the Company: their object is not to trade in any way, and the probability is, that the public will always be indebted to the Company and not the Company to the public.

What is the capital stock of the Company invested in?--I believe it consists of barges and steamboats; some of which are insured, and some not. I believe that with our present capital we are enabled to compete with any company as far as our line of business extends.



Montreal  
Board of Trade.

Thomas Cringan, Esquire, of Montreal,  
merchant, called in and examined;--

Are you connected with the Montreal Board of Trade?--I am Vice-President.

What are the objections, in your opinion, to the Bill to incorporate the Quebec Forwarding Company?--I understand that their liability is limited by the Bill to the amount of Stock paid in, and I think it objectionable that any commercial company should be incorporated without making them liable to the full extent of their means, especially a Forwarding Company. I am acquainted with one called the Ottawa Forwarding Company, that has sunk upwards of £30,000, stock paid in, and the stockholders will still have to pay something out of their private means; the public would have lost in this case, if the stockholders had not been responsible.

Do you consider the liabilities of a Forwarding Company towards the public, greater than those of other commercial companies?--I do, in consequence of their stock being much more perishable than other stock in trade, and there is the risk attending navigation, and many other losses that it is impossible to guard against; their vessels may run foul of other vessels, as has happened lately, between the Queen and Sydenham on Lake St. Peter; law-suits follow, and other circumstances which do not happen in ordinary undertakings, by which means whole cargoes may be lost, which a limited liability might prove insufficient to make good.

Do you not think that those restrictive regulations would have the effect of suppressing joint stock Companies?--I think not, generally, but there may be some cases in which a Company could hardly exist without a limited liability. In the Montreal Tow-Boat Company, of which I am a member, the losses have been very great during the last three years, amounting to nearly the whole investment, but there is no limit to the responsibility, and there are a great many shareholders.

John T. Brondgeest, Esquire, Merchant, called in and examined:--

Are you connected with the Montreal Board of Trade? --I was President of the Board last year. You have heard the evidence of Mr. Cringan, do you concur therein; and have you anything further to add? I fully concur in the testimony of Mr. Cringan, and would remark

(315)

further, that I consider a limited liability necessary in certain cases, as for instance, Banks and Railroads, the reason for which is simply, that the public gains in those cases by the improvement, and

there is something to compensate them for the risk, while in Forwarding Companies it is not the case. Railroads and Banks are also more likely to become creditors to the public, while Forwarding Companies would usually be debtors.

Would you consider a limited liability, say to double or treble the amount of the Stock, a sufficient security?--Not in a Forwarding Company; their losses may be very great and sudden; and I consider that when the profits and losses are very great, the persons taking stock should be liable for the whole loss.

Frederick A. Wilson, Esquire, Secretary to the Montreal Board of Trade, called in and examined:--

You have heard the evidence given by Messrs. Cringan & Brondgeest, do you concur with them?--Entirely.

Have you anything further to offer?--Nothing; they have fully explained all that I should have desired to say.

Pères Oblats.                      Ordered, That the Bill to incorporate "Les Reverends Pères Oblats de l'Imaculée Conception de Marie," in the Province of Canada, and that part of the thirteenth Report of the Standing Committee on Private Bills which relates thereto, be committed to a Committee of the whole House on Monday next.

Commutation of Tenure.                      The Honourable Mr. Moffatt, from the Select Committee, to which was referred the Petition of Benjamin Brewster and others, landholders, residing in the vicinity of the city of Montréal, with power to report by Bill, or otherwise, presented to the House a Bill to empower any religious community, being the seignior of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the city of Montreal, or either of them, to invest the moneys arising from any commutation of tenure granted by them in real property and other securities; which was received and read for the first time, and ordered to be read a second time on Thursday next.

Petition of the Reverend A. Gosselin.                      Mr. Cauchon, from the Special Committee, to which was referred the Petition of the Reverend Antoine Gosselin and others, of La St. Famille, and other parishes in the island of Orleans, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have examined the Petition of the Reverend Antoine Gosselin and others, inhabitants of the Island of Orleans, and also several witnesses on the merits of the said Petition, and they are

of opinion that it is always difficult, and often impossible for the Petitioners to communicate with the "Cote Beauforé," especially during the Spring and Autumn, as the river during those seasons is covered with ice, and consequently the crossing becomes very dangerous. This impossibility of communication between the Island of Orleans and the other parts of the county of Montmorency lasts about a month in Autumn, and almost a month in the Spring.

Your Committee, therefore, after mature deliberation, are unanimously of opinion, that the prayer of the Petitioners merits the favourable consideration of your Honourable House, and that a Registry Office ought to be established on the Island of Orleans.

Election, Third  
Riding York.

Mr. Taché, from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this day, but could not proceed to business, on account of the absence of Mr. Meyers.

Petition of  
J. Painchaud  
and others.

Mr. Taché, from the Select Committee, to which was referred the Petition of Joseph Painchaud and others, Physicians and Surgeons, residing in Quebec, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee having examined the Petition referred to them, are unanimously of opinion, after mature deliberation, that the prayer of the Petitioners, Joseph Painchaud and others, Physicians and Surgeons, residing in Quebec, should be granted.

Quebec Medical  
School.

Ordered, That Mr. Taché have leave to bring in a Bill to incorporate the Quebec Medical School.

He accordingly presented the said Bill to the House,

The mover ((MR. TACHE)) stated that the provisions of the bill were exactly similar to that adopted the other day for the incorporation of a like school in Montreal. He therefore thought it was unnecessary to put the country to the expense of printing, as hon. members could refer to the copies they already had.<sup>10</sup>

This was agreed in<sup>11</sup>.

(315)

and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

St. Catharines  
Incorporation.

Mr. Merritt, from the Select Committee to which was referred the Petition of H. Mittleberger and others, of St. Catharines, in the Niagara district, with power to report by Bill or otherwise, presented a Bill to incorporate the town of St. Catharines; which was received and read for the first time, and ordered to be read a second time on Monday next.

Public Records  
of "La Nouvelle  
France."

Mr. Christie, from the Select Committee, appointed to inquire into and report upon the present condition and state of the ancient Archives and Public Records of "La Nouvelle France," and of the Province of Quebec, remaining in the vaults of the Eveché, or Parliament Buildings, at Quebec, or elsewhere, with a view to the adoption of measures, as well for their arrangement and preservation from decay, as to the collection from all accessible sources wheresoever, of such ancient and authentic Records and Documents relating to the first settlement of Canada, as in the opinion of the Committee may cast light upon, or be conducive to a full knowledge of its early history, as well as to the general advancement of Literature in the Province, presented to the House the Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix HH.)

Ordered, That the said Report be committed to a Committee of the whole House, on Thursday next.

Ordered, That one hundred copies of the said Report, be printed in each of the English and French languages, for the use of the Members of this House.

Expiring Laws.

The Honourable Mr. Aylwin, from the Standing Committee on Expiring Laws, presented to the House the first Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

The Committee on Expiring Laws have the honour to report, that having carefully examined the several Acts, which if not continued, would expire before the next Session of the Provincial Parliament, they are of opinion that the following Acts should be continued until the first day of May, 1850, and thence until the end of the then next Session of the Provincial Parliament, that is to say the Acts of Lower Canada:--



- 9 George IV. chapter 20.--Secret incumbrances on Lands.
- 9 George IV. chapter 27.--Prevention of evasion of Fraudulent Debtors.
- 9 George IV. chapter 28.--Proceeding against Estates of Debtors.
- 9 George IV. chapter 51.--Salmon fisheries in certain Counties.

(316)

- 1 William IV. chapter 6.--To encourage the distruction of wolves.
- 6 William IV. chapter 19.--Fees of persons employed by Justices of the Peace.
- 6 William IV. chapter 35.--Imposing duty for the medical treatment of sick mariners.
- 6 William IV. chapter 56.--For remedying abuses prejudicial to Agriculture.

The Acts of Upper Canada:--

- 11 George IV. chapter 20.--Providiing for the Insane destitute in the Home district, and
- 3 William IV. chapter 45.--Extending the said Act to other districts.
- 6 William IV. chapter 29.--To encourage the destruction of wolves.
- 7 William IV. chapter 23.--Establishing Agricultural Societies.
- 3 Victoria, chapter 43.--Relating to Assessments in the Niagara district.

Act of Canada:--

- 4 and 5 Victoria, chapter 36.--Regulating the fisheries in Gaspé.

And for this purpose they have prepared a Bill, which the chairman is instructed to introduce.

The Committee have not thought it necessary to advise the further continuance of any Act which will remain in force until after the expiration of the next Session.

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill to continue further for a limited time the several Acts therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Quebec Incorporation.

Mr. Chabot, from the Select Committee, to which was referred the Petition of Edouard Glackemeyer, Esquire, acting Mayor of the Corporation of the city of Quebec, and other references, with power to report by Bill or otherwise, presented to the House a Bill to amend the Ordinances Incorporating the city of Quebec; which was received and read for the first time, and ordered to be read a second time on Thursday next.

Pedlars,  
Quebec.

Ordered, That Mr. Chabot, have leave to bring in a Bill to prevent Pedlars and other persons from selling goods within the limits of the city of Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Petition of W.  
Thurber, M. D.

Mr. Laurin, from the Select Committee to which was referred the Petition of William Thurber, M. D., and others, of the county of Lotbinière, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee having taken into consideration the Petition of the inhabitants of the county of Lotbinière, have the honour to report:--

First. That whereas the Petition of William Thurber, M. D., and others, of the county of Lotbinière, praying that the Circuit Court be transferred from the parish of St. Croix to the parish of Lotbinière, in the said County of Lotbinière, is the only Petition which has been referred to your Committee for that purpose, and that other Petitions from different parishes of the said county, praying that the seat of Jurisdiction for the County be established in any other parish than that of Lotbinière, presented to the House by the Honourable D. Daly, have not been referred to any Committee, as your Committee are informed. Your Committee do not think they ought to proceed on the merits of the Petition referred to them without having enquired as well into the motives which might justify the prayer contained in the Petition of William Thurber and others, as into motives alleged in the Petition presented by the Honourable D. Daly, because alterations of such a nature, ought only to be made after mature deliberation, and after hearing the parties praying for, or petitioning against, such alterations.

Secondly. That having been informed that a Petition has been presented to your Honourable House by Mr. Taschereau, representing the county of Dorchester, from certain inhabitants of the parish of St. Nicholas, in the said county, praying that the said parish of St. Nicholas be annexed to the said county of Lotbinière, for all purposes whatsoever, your Committee do not think they ought to recommend the said alterations, without having before them sufficient information to justify their proceedings.

On motion of Mr. Brooks, seconded by Mr. Hale,

Province Line  
Railroad.

Ordered, That the Bill to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province line, in the township of Stanstead, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House tomorrow.

On motion of the Honourable Mr. Attorney General Draper, seconded by Mr. Dickson,

Report on the  
Petition of J.  
D. M'Kenzie.

Ordered, That the Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the Petition of John. D. M'Kenzie and others, of the township of Beverley, in the district of Gore, and other places, be discharged.

Ordered, That the said Petition be again referred to the Select Committee, to which it had already been referred, to take evidence of the Surveys and Enquiries that have been made by order of Government.

Petition of the  
Revd. J. O.  
Archambault  
and others.

Ordered, That Mr. Sherwood, of Brockville, Mr. Macdonald, of Cornwall, Mr. Roblin, and Mr. Seymour, be added to the Select Committee, to which was referred the Petition of the Reverend J. O. Archambault and others, of the parishes of St. Timothée, and St. Clément, and other references.

Small Debts,  
Upper Canada.

Ordered, That the Order of the Day for the House in Committee on the Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor," be postponed until to-morrow, and that it be then the first Order of the Day.

Toronto and  
Lake Huron  
Railroad Com-  
pany.

Ordered, That the Bill to amend an Act passed in the fourth year of the Reign of His late Majesty, King William the Fourth, intituled "An Act to incorporate the City of Toronto and Lake Huron Railroad Company," be read a second time to-morrow, and that it be then the second Order of the Day.

Quebec Forwarding Company.

Ordered, That the Honourable Mr. Aylwin have leave to withdraw the Bill to incorporate certain persons under the name of the Quebec Forwarding Company.

The said Bill was accordingly withdrawn.

(317)

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill to incorporate the Quebec Forwarding Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

"Christian Unitarians."

Ordered, That the Bill to afford relief to a certain religious congregation at Montreal, denominated "Christian Unitarians," be committed to a Committee of the whole House, on Wednesday next.

On motion of Mr. Macdonald, of Kingston, seconded by the Honourable Mr. Moffatt,

Harris'  
Divorce.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to dissolve the marriage of Henry William

Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned;" be read a second time on Wednesday next.

Leave of  
Absence.

Ordered, That Mr. Rousseau have leave to absent himself from this House, for this week, on urgent business.

Harris'  
Divorce.

Resolved, That a Message be sent to the Honourable the Legislative Council, to request that their Honours will be pleased to

communicate to this House, a copy of the minutes of evidence taken before their Honourable House on the Bill, intituled, "An Act to dissolve the marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned."

Ordered, That Mr. Macdonald, of Kingston, do carry the said Message to the Legislative Council.

Report on the  
Petition of  
J. Donegani.

Ordered, That the Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the



*Petition of Joseph Donegani, of the city of Montreal, merchant, be postponed until Wednesday next, and that it be then the first Order of the Day.*

Sherbrooke  
Cotton Factory.

*Ordered, That the Order of the Day for the House in Committee on the Bill to incorporate the Sherbrooke Cotton Factory, as*

*reported by the Standing Committee on Private Bills, be postponed until Wednesday next.*

Duties on  
Customs.

*The Order of the Day for the House in Committee, to consider the expediency of repealing certain Acts, imposing Duties on*

*Customs, and for other purposes connected with the Revenue, and for enacting others in lieu thereof, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Smith, of Frontenac, took the chair of the Committee,<sup>12</sup>*

MR. ROBINSON moved the resolutions accompanying his proposed schedule of duties.<sup>13</sup>

1. RESOLVED, That it is expedient that from and after a day or days to be named, the duties imposed on Goods, Wares, and Merchandize imported into this Province, by the Provincial Acts 4 and 5 Victoria, cap. 14, (consolidating the laws relating to duties on Imports,) and 7 Vict. cap. 2, (imposing duties on Agricultural Produce on Live Stock, and continued by an Act of the present Session), shall cease and be repealed.

2. RESOLVED, That in lieu of the aforesaid Duties, there shall be payable upon Goods, Ware (sic), and Merchandize, and on Agricultural Produce and Live Stock, imported into this Province, except those exempted from duty, the duties respectively mentioned in the following Schedule that is to say: -

#### SCHEDULE

ARTICLES.		DUTY STE((R))LING.		
		£	s.	d.
ANIMALS, VIZ: -				
Cows and Heifers,	each,	0	15	0
Calves,	each,	0	5	0
Goats,	each,	0	2	0
Horses, Mares, Geldings, Colts, Foals,	each,	1	0	0
Kids,	each,	0	2	6

Lambs,	each,	0	1	0
Oxen, Bulls and Steers,	each,	1	5	0
Pigs, (suck((1))ing)	each,	0	0	6
Swine and Hogs,	each,	0	5	0
Sheep,	each,	0	2	0
FISH - fresh, not described, free,				
FLOUR, the produce of Wheat				
ground in bond, when taken				
out for home consumption,				
or for exportation to the				
United Kingdom, the barrel				
of 196 lbs.		0	2	0
GRAIN, VIZ: -				
Barley,	the quarter,	0	3	0
Buckwheat, Bear, Big,	do	0	3	0
Oats,	do	0	2	0
Maize or Indian Corn,	do	0	3	0
Rye, Beans, Peas,	do	0	3	0
Meal of all the above grains,	196 lbs.	0	2	0
Bran or Shorts,	the cwt.	0	0	3
HAY,	the ton,	0	6	0
STRAW,	do			0
HOPS,	the lb.	0	0	3
LIQUIDS, VIZ: -				
Ale and Beer,	gal.	0	0	3
Ale & Beer, bottle,	doz.	0	1	0
Cider and Perry,	gal.	0	0	1
Vinegar,	gal.	0	0	3
When imported by sea, five <u>per</u>				
<u>centum ad valorem.</u>				
PROVISIONS, VIZ: -				
Butter,	the cwt.	0	2	0
Bacon,	do	0	5	0
Cheese,	do	0	2	6
Hams,	do	0	5	0
Meats, salted or cured,	do	0	2	0
Meats, fresh, of all kinds	do	0	4	0
CANDLES, Sperm or Wax,	the lb.	0	0	2
All other kinds when imported				
otherwise than by sea,	do	0	0	1
And if imported by sea, five <u>per</u>				
<u>centum ad valorem.</u>				
POTATOES,	the bushel,	0	0	3
SALT, imported otherwise than by				
sea, the barrel weighing,				
nett	280 lbs.	0	2	6
Imported by sea,	the ton,	0	1	0

## LEATHER, VIZ: -

Goat skins, tanned, tawed, or in any way dressed,	per doz.	0	5	0
Lamb or Sheep skins, tanned tawed, or in any way dressed,	do	0	2	6
Calf skins, do	per lb.	0	0	6
Kid skins, do	do	0	0	3
Harness Leather,	do	0	0	2
Upper Leather,	do	0	0	2
Sole Leather,	do	0	0	1 $\frac{1}{2}$
Leather cut into shapes,	do	0	0	6

## LEATHER MANUFACTURES, VIZ: -

Boots, Shoes and Calashes (sic), viz:

Women's Boots, Shoes and Calashes (sic), of leather,	per doz. pairs,	0	5	0
Women's Boots and Shoes of silk, satin jean or other stuffs, kid or morocco,	do	0	6	0
Girls' Boots, Shoes, & Calashes (sic) under 7 inches in length,	do	0	2	6
Girls' Boots and Shoes of silk, satin, jean or other stuffs, kid or morocco	do	0	3	0
Men's Boots,	per pair,	0	2	6
Men's Shoes,	do	0	1	0
Boy's Boots under 8 inches in length,	do	0	1	3
Boys' Shoes do	do	0	0	9

## SUGAR, VIZ: -

Muscovado and Clayed that has not undergone any process whatever for refining or otherwise,	the lb.	0	0	1
Refined in loaves, lumps or Crush- ed, and Sugar Candy	do	0	0	2
Bastard and all other sugars whatever,	do	0	0	1
COFFEE, Green,	do	0	0	1
Roasted,	do	0	0	2
Ground,	do	0	0	4
COCOA,	do	0	0	0 $\frac{1}{2}$
Paste, Chocolate,	do	0	0	2
TEA,	do	0	0	1
TOBACCO, Unmanufactured,	do	0	0	0 $\frac{1}{2}$
Manufactured,	do	0	0	1
Segars,	do	0	2	0
Snuff,	do	0	0	4

MOLASSES, and Treacle,	the cwt.	0	1	0
SYRUPS,	per gal.	0	0	9
FRUITS, VIZ: -				
Almonds,	per lb.	0	0	1
Apples,	per bus.	0	0	6
Apples, dried,	do	0	1	0
Currants,	per cwt.	0	5	0
Figs,	do	0	5	0
Nuts,	per lb.	0	0	0 $\frac{1}{2}$
Pears,	per bus.	0	1	0
Prunes	per lb.	0	0	1
Raisins, in boxes,	do	0	0	1
Raisins, in kegs or otherwise than in boxes,	do	0	0	0 $\frac{1}{2}$
Maccaroni and Vermicilli,	do	0	0	1
OLIVE OIL, in casks,	per gal.	0	0	4
do in jars and bottles	do	0	1	0
Lard Oil,	do	0	0	4
Linseed Oil, raw or boiled,	do	0	0	2
India Rubber Boots and Shoes,	per pair	0	0	6
SPICES, VIZ: -				
Cassia,	per lb.	0	0	2
Cinnamon,	do	0	0	2
Cloves,	do	0	0	2
Nutmegs,	do	0	0	4
Pimento,	do	0	0	0 $\frac{1}{2}$
Pepper, of all kinds,	do	0	0	0 $\frac{1}{2}$
Mace,	do	0	0	3
WOOD,				
Pine, White and in proportion for any smaller quantity thereof,	per 1000 cubic feet	1	5	0
Red,	do	1	15	0
Oak,	do	2	15	0
Birch,	do	1	10	0
Ash, Elm, Tamarac, Heematac, and other woods not herein charged with duty,	do	1	5	0
Staves, standard or measurement, per standard mille (sic),				
Puncheon, or West India, -		1	5	0
White Oak,	do	0	10	0
Red Oak,	do	0	7	6
Ash,	do	0	4	4
Barrel,	do	0	4	0
Deals, Pine,	per Quebec standard 100,			
Spruce, do	do	0	7	6
Handspikes,	per doz.	0	0	3



Oars,	per pair,	0	0	3
Plank, Boards, and all kinds of sawed Lumber not herein charged with duty, per 1000 superficial feet, inch thick,		0	7	6
And so in proportion for any greater thickness.				
SPIRITS or Strong Water of all sorts, viz: -				
For every gallon of such Spirits or Strong Waters, except Rum, of any strength not exceeding the strength of Proof by Sykes Hydrometer, and so in proportion for any greater strength than the strength of Proof, and for any greater or less quantity than a gallon,	the gallon,	0	1	3
Rum, do do	do	0	0	6
And further for any excess over Hydrometer Proof, an equal additional duty per gallon to the duty imposed upon the said spirits and Rum by any Act or Acts of the Imperial Parliament and payable in this Province, until the same shall be provided for by any Act of the Imperial Parliament, of Great Britain and Ireland,				
For every gallon of such Spirits or Strong Waters or Rum, sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained,	do	0	2	0
WINE of all kinds,	do	0	0	8
and ten <u>per centum ad valorem</u> .				
Anchovies, & Sardines, preserved in Oil,	} For every etc. £100 the value. }	10	0	0
Biscuit and Crackers,				
Clocks and Watches,				
Carriages and Vehicles of all kinds, unenumerated,				
Dye Stuffs and Resins unenumerated,				
Drugs and Medicines of all kinds,				
Extracts, Essences and perfumery,				
Eggs,				

Fruit unenumerated, Fanning and Bark Mills, Machinery, unenumerated, Oils, unenumerated Vegetable, Volatile, Chemical & Essential,	For every £100 of the value. }	10	0	0
Pickles and Sauces, Poultry and Game, Playing Cards, Sausages and Puddings, Seeds not enumerated, Vegetables not enumerated,				
Goods, Wares & Merchandize not otherwise charged with duty & not herein declared to be free of duty,	For every £100 of the value, }	5	0	0
Ashes of all kinds, Bark, Burr Stones, unwrought, Berries, Nuts, & Vegetables used principally in dying, Cotton Wool, Coals, Fur skins or peltries un- dressed or manufactured, Hemp, Flax and Tow, Hides, raw, Mahogany & Hardwood unmanu- factured for furniture.				
Pig Iron, Palm Oil, Soda Ash, Tallow, Lard, Fish Oil, Fish, salted or cured, Oysters, Lobsters & Turtles.	For every £100 of the value. }	1	0	0

## EXEMPTIONS.

Anatomical preparation.

Copies of the Holy Scriptures printed in the United Kingdom of Great Britain and Ireland.

Coin and Bullion.

Donations of Books or Clothing specially imported for the use of, or to be distributed gratuitously by any Charitable Society in the Province.

Wheat, and Flour of Wheat.

Horses and Carriages of Travellers, and horses, cattle and carriages and other vehicles when employed in carrying merchandize, together with the necessary harness and tackle, so long as the same are bona fide in use for that purpose.

Hides and Tallow and Offal of cattle and swine slaughtered in bond.

Manures of all kinds.

Models of Machinery and other inventions and improvements in the Arts.

Old Junk or Oakum.

Packages containing dutiable articles, excepting bottles, tins, jars, demi-johns, kegs containing paints.

Philisophical (sic) Apparatus, instruments, books, maps, Statuary, Busts and casts of marble, bronze, alabaster or plaster of Paris, paintings, drawings, engravings, etchings, specimens of sculptures, cabinets of coins, medals, gems, and all other collections of antiquities, - provided the same be specially imported in good faith for the use of any Society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or for the use or by order of any University, College, Academy, School or Seminary of learning within this Province.

Provisions, arms, clothing, or any article whatsoever, which any contractor or contractors, commissary or commissaries, shall import or bring into the Province for the use of Her Majesty's Army or Navy or for the use of the Indian nations in this Province. Provided, the duty otherwise payable would be defrayed or borne by the Treasury of the United Kingdom or of this Province.

Specimens in Natural History, Mineralogy and Botany.

Seeds of all kinds, farming utensils, and implements of husbandry, animals for the improvement of stock, - when specially imported in good faith by any Society incorporated or established for the encouragement of agriculture.

Trees, shrubs, plants, bulbs or roots.

Wearing apparel in actual use, and other personal effects not merchandize, implements and tools of trade of handicraftsmen in the occupation or employment of persons coming into the Province for the purpose of actually settling therein.

3. RESOLVED, That it is expedient that from and after a day or days to be named, the Acts of the Parliament of this Province, 4 and 5 Vict. cap. 14, - 4 and 8 Vict. cap. 6, - 4 and 5 Vic. cap. 16, - 7 Vict. cap. 2, - and the Act of this Session continuing that last mentioned, - and the Acts of the Legislature of Lower Canada, 9 Geo. IV. Cap. 14, and 2 Wm. IV. cap. 3, - and the Acts of the Legislature of Upper Canada, 4 Geo. IV. (2d Session,) cap. 11, - 4 Geo. IV. (2d Session,) cap. 12, - 2 Wm. IV. cap. 3, - 7 Wm. IV. cap. 25, - and 3

Vict. cap. 9, - all which provide for the regulation of the Provincial Customs and matters therewith connected; shall cease and be repealed, to the end that other enactments may be substituted therefor.<sup>14</sup>

The Inspector General ... drew attention to the improved state of the revenue, as shown in the public accounts, which must be a subject of congratulation to the House.<sup>15</sup> Referring to Upper Canada particularly, ((he)) said that he had no doubt that the steps taken by his predecessors, and by those whom they appointed, had contributed to that increase.<sup>16</sup> Since 1841, the increase in the customs alone amounted to £240,000, and during the past year this branch of the revenue had nearly doubled itself. In Montreal alone, the increase had been upwards of £60,000, principally on the articles of tea, tobacco, and spirits. On brandy alone, the increase had been 100 per cent and a great revival had also taken place in the rum trade, which at one time was nearly extinct. He ascribed the increase on the necessaries of life - such as tea, sugar, &c. - to the great expenditure which had taken place during the year on the public works, amounting to nearly half a million of money. In Upper Canada, we understood him to say that the increase on the customs had been 50 per cent, principally shown at the ports of Phillipsburg, and Toronto. The duty collected on tea in that part of the province had been £20,000, and the same for tobacco. In respect to the former article, it would be seen by reference to the printed tariff, that it was proposed to reduce the duty from 4d to 2d, the great object being to prevent smuggling, which was at present carried on to a great extent from the United States. He had been asked why, as the Government intended to increase the number of revenue officers, they did not leave the duty as it was: but he (the Inspector General) felt that the best way to increase the revenue and prevent smuggling was by levying a moderate duty. Smuggling was an expensive process; those engaged in it had to get a high remuneration for the risk they ran, and the effect of a low duty would be to take away all inducement to engage in it.<sup>17</sup> The hon. member then proceeded to comment on the proposed duties, but he spoke in so low a tone as to be quite inaudible in the galleries. The duties on live stock had not been materially altered, but there were, he thought, improvements in the description, the classification by the age of cattle not having been found to answer. The duties on leather and leather manufactures had engaged much consideration, and he hoped the rates fixed would be generally satisfactory. He was convinced that the shoemakers might lessen their prices considerably, and he thought they would now have protection enough. He referred to the proposition that differential duties should be established between goods imported by sea and those by inland navigation (sic). This might be considered by some as interfering with the principles laid down in the despatches communicated to the House ... but he had after due consideration felt justified in proposing it.<sup>18</sup> The Hon. gentleman concluded by moving that the first part of the tariff, referring to the duties to be levied on live stock and agricultural produce should be adopted.<sup>19</sup>



MR. MERRITT said that the measure before the House was one which involved the interests of the whole province, perhaps more than any other to be produced during the session, and he was surprised to see the benches so empty; he particularly regretted that so many members of the Administration were absent, on the discussion of so serious a question. He begged to called (sic) the attention of the Government to two or three points, not so much with a view to their being remedied this session, as to their being understood, and having the trade of the country placed on a proper footing, which is not the case now; and this bill, he was afraid would not have that effect. When the Inspector General originally introduced the bill, he expressed four opinions.<sup>20</sup> The 1st was - the necessity of protecting by duties the produce and manufactures of the Colony, the 2nd was, to reduce the duties upon certain articles of consumption below the cost of smuggling, and thus to put an end to this nefarious traffic.<sup>21</sup> Thirdly: to remove all obstructions so as to get the trade of the whole western country to pass thro' our waters. He concurred fully in all those views, and would now ask hon. members if this bill would effect that object? It would not he was well convinced. He would take up the subject of discriminating duties, upon which he would advise hon. members to reflect during their absence from the House, and bring their ideas on it to bear when they come back to their seats next session: for he would assure them, that it was this principle of discriminating duties which will make this a prosperous country if carried into operation. If the hon. member((s)) for Leeds<sup>22</sup>, and Prince Edward<sup>23</sup>, would remember ... ((they were)) on a select committee in 1837, as was also the Inspector General, on this very subject, and a series of resolutions were introduced by him (Mr. M.) embodying an address to the Imperial Government, for permission to be allowed to impose these discriminating duties. At first the Report of the Committee was received very badly by the House. "It could not be allowed; it would be an infringement of the rights of the Home Government." and so forth. Whereas there was no such intention, and it would not have that effect. It was referred to a committee of the whole, and an address was passed and sent home in 1837, praying that the right of imposing these duties should be given to the Colonial Government. It was sent back with a reply that the Home Government could not believe that tea could be introduced into the colony from the sea at a cheaper rate than from the United States.<sup>24</sup> OR It could not be believed that Tea could be imported through the United States, at a lower rate than it could be obtained from England.<sup>25</sup> Another address was sent home in the session of 1838, in which it was asserted, that such would be the effect of the change if carried into operation.<sup>26</sup> He would take as an instance that a pound of tea which is

consumed at Niagara is imported through our own waters from the sea<sup>27</sup>, by the way of Quebec<sup>28</sup>. In that case the shipper has his profit, the canals have the toll, the merchant his profit, and we consume the article.<sup>29</sup> But if it can be obtained cheap in New York, the New York merchant gets the profit, and the canals of the United States the toll for carriage, and thus the profit is taken out of our pockets and put into those of our neighbours. Therefore the Provincial Legislature ought to have the power of imposing discriminating duties, and to make the duties at Quebec lower than those at the inland ports, and thus give a preference to imports water-borne, and place a restriction on the trade of the United States.<sup>30</sup> And the effect would be that you would force the importations of those articles direct from the sea. At New York there is no duty on the importation of tea - at Quebec there is.<sup>31</sup> According to the present system the American merchant had a decided advantage over the people of this province, which could be alone counterbalanced by reducing the duties upon imports at Quebec, and increasing them at the inland ports. It was said that Great Britain would not allow this, but he believed that she would, if the application were made in a clear and proper manner. When an address was sent home, requesting power to impose a differential duty, it went from the Colonial Office to the Board of Trade, thence to the Board of Control, and the Customs; and if in either of those departments an objection were raised, it was fatal to the prayer<sup>32</sup>. Suppose, however, that it is recommended by the Boards, it is sent back to the Colonial ((Office)), thence it is transferred (sic) to the Cabinet, a bill is then brought in and must pass through the two Houses before the request of this House is complied with.<sup>33</sup> It was not reasonable to suppose, when surrounded by so many difficulties, that the application could be successful<sup>34</sup>. It was absurd.<sup>35</sup> Nor did the matter appear to those at home to be of sufficient importance to lead them to take so much trouble with an affair which did not directly concern them. It was therefore necessary to the well being of the commercial interests of this colony that the power of originating differential duties should be vested in the Provincial Legislature<sup>36</sup>, and afterward negatived by the Home Government if found to interfere with the general interests of the Empire.<sup>37</sup> He had proposed this to Lord Sydenham, himself a merchant, and at one time at the head of the Board of Trade in England, and the opinion of that gentleman was in the first instance, that Great Britain would not grant the privilege, as he considered it an interference with the Trade Laws of the Empire; but when from residence in the colony<sup>38</sup>, he came to understand the question fully, he changed his opinion, as would appear by his Despatch 116; and he would remark, that as Lord Sydenham had been President of the Board of Trade at home, he was the very best authority that could be cited in such a case. In this Despatch, he said that, "as many of those matters which the Assembly wished to regulate were not worthy being discussed in Parliament, he would recommend that the model advocated by the Assembly be adopted; and that a bill to that effect should be passed by

the Imperial Parliament - not, however, to be included in the Union Act" - which, by the way, he (Mr. M.) would remark, was contrary to the wishes of the Assembly, who desired that it should form part of the constitution. He should not have recurred to this point, if it were not for the despatches laid on the table this afternoon. One of them is decidedly opposed to this power being granted, but in that of the 20th September, Lord Stanley says - that "circumstances may occur which will justify a departure from the course that he has mentioned."<sup>39</sup> From this it might be argued that the principle will not be admitted by the Home Government. He was satisfied to the contrary; he believed that if it were shown that the measure would have a beneficial effect upon the trade of the Colony, that it would be willingly met.<sup>40</sup> (Hear, hear.) He knew that to be the fact from the corn bill. And if hon. members would look at the despatch of the 17th August, 1842, they would there find his opinion confirmed. It said - "if we want to make our colonies valuable, they must have protection from too strong a foreign competition." From the difference in the duties on Foreign and Colonial produce, it was supposed at that time, that there was a great protection on Colonial wheat imported into Great Britain. But in reality (sic) there was none; that, however, was not known to the English Government. The duty on Foreign flour was 12s. - on Colonial 3s. On paper that would appear to be a great protection in favor of the Colonial produce, but as he had said it was not the slightest. Because when the price of flour was high, the duty was taken off altogether, and Foreign was admitted on a par with Colonial. But when the price was low, the 3s. became as an effectual prohibition as the 12s. When the English Government saw that clearly, and that it would be just as well to impose the 12s. duty, they set to work and made an alteration at once. And if it were represented that this power of making Differential Duties is essential to the prosperity of the Colony, he had not the slightest doubt it would be immediately granted. There was not an article coming from sea which must not be watched, and levy on that article a lower duty than is charged in New York, and a high duty when coming by way of the U. States<sup>41</sup>, and if this were not done they would be sent in from New York, and the Americans would receive the whole benefit of our internal trade.<sup>42</sup> By that means we will at the same time have the tolls on the canals, and the duty altho' in another shape. There was another point also to which he would wish to draw attention, there should be no restrictions on anything going out of this country, all articles of exportation should be free as air<sup>43</sup>. A sound system of warehousing and drawbacks ought, also to be established, to encourage importation.<sup>44</sup>

MR. MOFFATT. - We have it already.<sup>45</sup>

MR. MERRITT was aware that there was something of the kind, but he did not consider it sufficient. Every farthing of duty levied at Quebec upon imported tea was a premium given to the American importer,

as the duty at New York was taken off altogether.<sup>46</sup> There was another subject to which he would refer - the state of the revenue. If any one would compare the revenues of 1838, '39 and '40 with what they are now, and see the enormous difference, and the expenses of the two Governments compared with the expense of the present Government, he would ask where is this amount gone to?<sup>47</sup> It was expected at the time of the Union that it would have the effect of diminishing the cost of the Government, but instead of that, the expenses of the United Government were far greater than those of the Governments of Upper and Lower Canada when separate. The revenue of Canada (£500,000) was larger than that of any other Colony in North America, and in respect of the amount of population, greater than that of any other country in the world; none of the neighbouring States could boast so large a revenue<sup>48</sup>. He would go further and say such as no country in the world comparatively speaking receives, and to what purpose is it put?<sup>49</sup> It ought to have gone to the improvement of the country. If the principles which he had recommended had been followed out, the Colony would have been in a much more prosperous condition to-day. When the additional duty of  $2\frac{1}{2}$  per cent was levied upon imports, it was said that it was to meet the interest of the debt arising from the public works, and he contended that it should have formed a separate sum for that purpose alone; but the disposition to borrow institutions from England<sup>50</sup>, many very good and some bad<sup>51</sup>, no matter how inapplicable, was shown upon this occasion, and nothing would do but a Consolidated Fund.<sup>52</sup> But how was the consolidated fund brought about in England? In consequence of the immense Funds and Debts which have there to be regulated. It was in consequence of that the consolidated fund was established and very justly. But here we are differently situated and we should have separate and distinct funds<sup>53</sup>. In Canada there should be one fund for the payment of the Colonial debt; another arising from lands for educational purposes, and these should not be mixed up together. In the statement of the revenue for the last year, there was a large sum credited for lands, which had not been received, but Scrip to that amount had been redeemed, therefore it should not stand as it did.<sup>54</sup> As to the disposal of the internal revenue which should form a separate fund, he believed that he differed from his hon. friends from Lower Canada, on that point.<sup>55</sup> If separated from the general Revenue it would pay all the District expenses, including the Administration of Justice, with the exception of the Superior Courts. This system would simplify the Government, and do away with those difficulties and heart burnings which now existed between the two portions of the Province, because the one was taxed for that which the other did not pay for. The district taxes were increasing without a necessity, for if the Revenue arising from tavern licences, stills, &c., was taken for district purposes, Upper Canada would be relieved from the payment of £30,000 annually for the Administration of Justice.<sup>56</sup> He called the attention of the House to these facts now, as he may not have another opportunity of doing so. As to the other consideration<sup>57</sup>, he could



not see why the duty upon sugar could not be reduced at once, it was too high; if it was not considered proper to reduce it altogether, it might be done for a time that its operation might be seen. If it were continued as at present, the importation would be diverted from Quebec, and the Upper Province would be supplied from the United States through the Erie Canal<sup>58</sup>, as is the case in the Niagara district at this moment.<sup>59</sup> It was not possible to establish differential duties now; but<sup>60</sup>, next year, he hoped that the government would take this up, and if a proper representation of it were made to the Home Government, he had no doubt that the request of the House will be granted, and then there was no dispute that we should have the whole trade of the colony in our own hands, and even that on the other side of the line.<sup>61</sup> The Member for Prince Edward supposed that the agricultural interests of Canada were injured by passing the produce of another country through our waters, but such was not the case. It was necessary that Canada should have a home market for its produce, and look chiefly to that.<sup>62</sup> Our policy cannot be said to resemble that of independent countries. In England and America they place as high duties as possible on importations into the country, in order thus to encourage their own manufactures; and by that means, the encouragement of manufactures, give an increased value to the products of the soil<sup>63</sup>, and create a home market<sup>64</sup>. Is that our interest? Not at all; we are a mere colony, dependent on Great Britain for support and consequently<sup>65</sup>, it was our interest to obtain all the carrying trade we could, and at the same time to place such restrictions upon the importations from the United States of articles for consumption, as should encourage our own merchants, taking care at the same time that these duties should not be so high as to offer a premium to smugglers. He considered that whatever duty was imposed upon cattle it would be in a few years imperative, as the country would not only supply itself, but would be able to enter the British market upon a good footing<sup>66</sup>, and if practicable, all importations from Great Britain should be duty free. (Hear, hear.)<sup>67</sup> He concluded by saying that<sup>68</sup> he was opposed to the high duty on sugar; there was not the slightest necessity for it, and he questioned if the duty were diminished, if the revenue would not be by that means increased; in fact we are encouraging the manufacture of sugar carried on in the States, and which is now imported in large quantities in Upper Canada.<sup>69</sup> By a reduction of the duty we should encourage our own merchants.<sup>70</sup> And he questioned strongly whether with a revenue of £500,000, this high duty is required for the purpose of a revenue.<sup>71</sup> If revenue were needed, it would be another matter.<sup>72</sup>

DR. DUNLOP agreed with his hon. friend, that if the duties were raised so as to give a premium to smugglers, it would do mischief instead of good; and that a small duty would in the end be found most productive to the revenue. He was of opinion that a revenue greater than the wants of the people should upon no occasion be raised. That matter was put to rights by Adam Smith, he said that in Scotland, by

means of brick walls, stones, flues and glass, better grapes could be raised than those grown in the open air in France and Portugal; and it followed that if better grapes could be raised, better wine might be made; but it was not, therefore, consistent with sound policy that the people should set themselves to making wine at a cost of about thirty times what it could be procured for from France and Portugal. He remembered having been laughed at four years ago when he had stated that in taxation two and two did not make four; but on the contrary, it made sometimes three, sometimes two, sometimes one, and on some occasions nothing at all. - (Laughter.) If too high a duty were placed upon an article it either diminished its consumption or gave an encouragement to smuggling, in either case, the Revenue became the loser. If the Colony could with its present rates pay the interest of its debt and the cost of the government, the duties should not be increased. If there was more than was sufficient, reduce the duties, and the revenue would be still further enlarged; such was the case in every country. In England, where there was a long line of coast, there was a large Custom-house Protective Coast Guard, but all its efforts were not sufficient to prevent smuggling, although the men were stationed in hail of each other; and it was stated by the Commanding Officer that the ingenuity of the smugglers overcame the vigilance of the Guard. - If lower duties were placed upon articles of general consumption imported by way of Quebec and Montreal, it would turn the tables upon the United States, by creating a host of people who would smuggle into her territory, and make its own people the opponents of their own Revenue Laws, and thus make the trade of this colony three times as great as it is now. It might be remembered that he had advocated the reduction of the duty upon salt; it was then said that such a reduction would cause a loss of £5000 a year to the Revenue. But he had shown good reasons for the reduction; and it turned out that this sum was not lost and ultimately hoped to see it made up by its low duty. The reduction was from 14s. 8d per ton, to ((?)) s. per ton, but the reduction in revenue was 13-14ths. The last year of the high duty the importation was 5000 tons, the next with the low one it was 17000, the year following it was 24,000, and it will go on increasing every year, if the system were persevered in, and in the end not a shilling would be lost to the revenue, and our own people would have received the benefit of the means of preparing provisions for market, with salt such as the Americans could not procure except from us. Indeed the greater part of the importation was absorbed by the United States, the people of Ohio had agents at Kingston to buy it up as fast as it came, and but little found its way among our own people. The reduction had encouraged the people of Liverpool to send out greater quantities as they got better prices for it, and the more they sent out the more would be consumed. He was opposed to the levying of high duties which were not required for immediate revenue purposes; as a principle in the end always injurious to that it was intended to benefit.<sup>73</sup>

MR. BALDWIN said that the Inspector General had made a few general remarks upon the subject before the House, and he would do the same.

The principle laid down by the member for Huron and North Lincoln in support of the imposition of low duties to avoid as much as possible the smuggling to which our long line of frontier necessarily exposed us, was one which must be adopted by everyone, in fact it might almost be said to be a self-evident proposition. As regarded the proposition of the Inspector General to charge some of the duties now levied at ad valorem ... the imports, he agreed that it would be an improvement in the Tariff, as great frauds had been practiced upon the Revenue in consequence of the former mode of collection, through false invoices, whereby the Revenue Officers were imposed upon as to the real value of the article imported. And it was the object of good government not only to take care of the Revenue, but to prevent the immoral tendency of such practices upon the country at large. He thought that in bringing forward this new system the Inspector General had done well. In considering the duties proposed to be imposed; he would refer to particular items in the schedule. It had been a subject of discussion between this and the Mother Country, as stated by the member for Lincoln, and after some time had led to the imposition of duties upon Agricultural Products from the United States, Wheat &c., for the protection of the industrial interests of the Colony. Therefore while the House remodelled the present Tariff to avoid frauds and smuggling, it should be careful not to interfere with the provisions of the tariff in a manner calculated to unsettle that which they had taken so much trouble to set at rest, particularly as those provisions had been but short lived at present. He alluded to the taxation upon wheat; it appeared to him that one proposition relative to the grinding and exportation of wheat in bond would have that effect, and he was more convinced that he was right and more alarmed for the consequences on account of the Bill introduced by the Attorney General, earlier in the Session relative to the shipping. That Bill and the provision of this appeared to him for the purpose of increasing the transit trade and exporting wheat and flour of foreign growth to the mother country or the sister colonies. He would not enquire whether such a measure were expedient or not; but he contended that this was not the time, after such exertions had been made to obtain the protection given, to venture to unsettle what had been so far settled. The proposition as it stood was for the introduction of flour ground in bond when taken out for home consumption, or exportation; and he conceived that the effect would be to run foul of the British Government, and to peril the continuance of the boon granted.<sup>74</sup>

MR. ROBINSON explained that the introduction of that provision was an error, it had existed in the first draught of the schedule, but on account of doubts as to its propriety it had been struck out in the copy which went to the printers, and it was afterwards inserted by the Clerk who corrected the proof, who having read it in the original, conceived the omission to be an error. Until the Canals were finished they could not hope to draw this trade, but he considered that in a few

years it might be done, and then the grain thus introduced would go home as foreign flour, this Colony having the advantage of its carriage and manufacture.<sup>75</sup>

Hear, hear from the opposition.<sup>76</sup>

MR. BALDWIN was glad to find such was the case.<sup>77</sup> As the scheme was abandoned he need say no more on the subject.<sup>78</sup> The next point to which he would direct the attention of Ministers and the House was the proposition to make a differential duty upon Ale and Porter, &c., imported otherwise than by sea. When imported by sea they were charged 5 per cent. ad valorem, and otherwise with a specific duty much higher. A similar difference was also made with regard to salt and candles. He considered that the establishment of such differential duties was in direct opposition to the instructions sent out by the Home Government.<sup>79</sup> The hon. and learned member then read Lord Stanley's despatches<sup>80</sup>. The despatches upon this subject, and the views expressed by Mr. Gladstone in the House of Commons, showed that the Home Government was not ready to admit the right of the Provincial Legislature to make differential duties. The duties proposed, if not in fact differential duties, were so in effect, and levied against the trade of the United States. Any distinction of that kind contravened the provisions of the Imperial Government; and if done could not be by legislation, but by an Address to the Crown, praying for liberty to make the alteration, when if it thought fit the power would be granted; but now that branch of Trade was under the controul of the Imperial Government alone. He would insist upon receiving every right belonging to a British subject, but he would be equally guarded not to trench upon privileges belonging to the Imperial Government.<sup>81</sup>

Hear, from the ministerial side.<sup>82</sup>

((MR. BALDWIN continued:)) Such a course, might frequently lead to unfortunate consequences, and might and must run counter to the views of the Imperial Government, and existing treaties, and thereby involve the Province in difficulties of a serious character. He was for being most careful not to take any step of this nature without having the consent of the mother country thereto. So early as April 1842, a despatch was sent out relative to a differential duty upon Madeira wine, in which the error was pointed out, and the principle disallowed. The despatches laid upon the table to-day went the same length upon this subject; and in the debate which had taken place upon the Canada Corn Bill the same principle, was discussed; and he had no doubt from the definite enunciations contained in Lord Stanley's despatch upon this subject that the present departure from the rule laid down would not be allowed. The despatch objected to the imposition of discriminating duties, as leading to serious practical errors, and therefore disallowed the assumption upon the part of the Provincial



Legislature of the right to make them. It appeared to him, Mr. Baldwin, that the distinction made between articles imported by sea and land was a case in point, and therefore would not be recognized by the Home Government. The despatch certainly did allude to peculiar circumstances when these duties might be expedient; but he considered that before proceeding to legislate upon the assumption that this was a case in which they were necessary, that it should be submitted to the Imperial Government, and the consent of the Crown obtained thereto; and this had not been done. Therefore conceiving that the present proposition was a departure from the rules laid down by the Colonial Secretary, he did not consider that it would be sanctioned; and that the House ought to entertain it. He did not understand upon what principle all other spirits but Rum were charged with a duty of 1s. 3d. per gallon, while Rum was only charged 6d. per gallon; that was going contrary to the principle applied to other articles, as it imposed a higher duty upon Spirits imported from the Mother Country than on Rum which came from the Colonies or the United States. He considered this equally open to objection as a differential duty. There was another part of the proposition which although of minor importance, he was not prepared to acquiesce in, although much had been said in its favor, as he considered it would lead to a good deal of practical inconvenience. He alluded to the introduction of provisions, arms, and clothing for the troops, free of duty. If introduced without frauds being practised it would be well enough, but in consequence of many frauds committed, the farmers were deprived of the greater part of the protection the law provided them. He objected to these general points in the tariff, there were minor points such as the duty upon cattle upon which he was not prepared to offer an opinion, but he would leave them to be discussed by those better able to do so. He considered however that a difference ought to be made between old and young horses and other cattle. There was a just objection against making too many distinctions, but he thought there ought to be two.<sup>83</sup>

MR. COLVILLE said, that there was one subject to which he wished to call the attention of the Committee and the Administration, and that was the hardship which the duty upon foreign lumber would inflict upon those who had contracts in the United States at the present time, to supply timber at the port of Quebec. He had received several communications on this subject from parties resident upon the Province line who had made such contracts without calculating upon the present imposition. They had no objection to pay these duties in future, but they considered that they ought to be exempted from their operation until the expiration of their contracts. Whenever he agreed with the honorable member for the Fourth Riding of York, he always told him of it, and on the present occasion he entirely concurred in the observations which he had made relative to the provisions brought under the plea of their being for the use of the army. From the evidence which had been given before the Committee upon Agriculture, he was convinced that great

frauds were committed. It was a constant practice of parties entering cattle as for the use of the troops, to bring them into Montreal, and there sell them; and they frequently sold the permit also, and thus the larger proportion, if not nearly all the cattle imported, purported to be for the use of the troops, and thus the revenue was defrauded. He therefore hoped that this clause would be struck out, and the Commissariat be made to pay the duty. (Hear.)<sup>84</sup>

MR. INSPECTOR GENERAL ROBINSON said, that with regard to the differential duties there was a precedent for it in the article of salt. The case of Madeira wine was not one in point. The present provision did not apply to articles imported by sea, but only to such as were land-borne from the United States, if they were brought in by sea they would be subjected to the same duties as those from other countries. Some of them were now brought in by ship to Quebec from the United States, and these were untouched. Unless a difference of this kind were made, it would bear very hard upon the merchants of this Colony, who were excluded from the United States by an excessive tariff. The Crown Officers were of opinion that these duties could be imposed without running counter to the intentions of the Home Government. With respect to the difference between the duties upon Rum and other Spirits, it was made on account of the less value of the article, and is being consumed by a poorer class, and therefore ought not to be rated so high as the more exclusive and expensive article which could better bear a duty than the cheaper. He did not consider it expedient to make any difference between old and young cattle and horses, as it had been found by the operation of the last act in which it was made, to lead to frauds and hard.... Boots were now proposed to be taxed 2s. 6d. per pair, but in the United States they were charged 7s. 6d. With respect to what had been said concerning lumber, it was usual in England to give a year's notice before a new law of this kind came into operation, in order to give time to those engaged in trade to order their business accordingly. It was not the intention of Government to extend the time so long, but it was proposed to bring it into operation on the 5th of July next.<sup>85</sup>

MR. DRAPER said, that he did not consider the differential duties now proposed to be introduced as coming under the charges of those referred by the member for the Fourth Riding of York, now that they would clash with the intentions of the Home Government. It appeared to him that the differential duties spoken of were duties imposed upon the products of one country different from those levied upon the same products of another country. But the duty in this case regarded only the manner of the importation. A similar course had been taken with regard to salt, and it was to be supposed that had it been considered at home as a differential duty, the Home Government would have taken some notice of it. The case of Maderia (sic) wine was one obviously different, there the wine of the country was singled out and placed

upon a different footing to wine of another country. But here no duty of such a kind was imposed; no distinction of country was made, it was only provided that these goods when land-carried should be subjected to a different rating to those water-borne. Had this provision when applied to salt have been considered as an infringement of the principle laid down by the Imperial Parliament and Cabinet, that (sic) when the subject was under discussion, and the despatches before the House were written, some notice would have been taken of it as a case in point. The more particularly as allusion was made to the local relations of the colony which might require some such provision. On these grounds he held that the imposition of a different duty upon articles land-borne to those imported by water, was not an infraction of the provisions of the Home Government; nor could the duties so imposed be looked upon as differential duties.<sup>86</sup>

MR. BALDWIN said, that he had pointed out that although the infraction might not be technical (sic), it did certainly appear to him that it was so in reality; and that in consequence of our local position it would be felt at home as practically such. For although few articles were imported from the United States by sea, yet, a vast quantity were imported through the medium of inland navigation. With respect to salt, the differential duty upon that article was imposed prior to the subject having been brought under the consideration of the Home Government, and before it had been discussed in the Imperial Parliament. The subject had been at length forced upon them, the very term differential duty was held to be a new term. He considered that the arguments of the hon. Attorney General would do very well in a Court of law, there he might work something out of them; but he feared that in an arbitrary political tribunal like the Imperial Parliament, it would require more ingenuity than the member for London had displayed.<sup>87</sup>

MR. ATTORNEY GENERAL DRAPER said, that he was aware that the alteration in the duty on salt had been made prior to the time referred to; but as the discussion upon the principle of differential duties took place subsequently, and the despatches had been also sent over since. And he deduced from this that if it had been considered an infringement of the principle contended for, it would have been pointed out at that time. It was impossible for the writer of the despatches before the House, had he viewed this matter in the light in which it was seen by the hon. member for the Fourth Riding of York, to have overlooked so pointed an infraction. If these despatches were written and this matter overlooked, it was certainly an imputation upon the high character of British Legislation.<sup>88</sup>

MR. MOFFATT said, the differential duty on salt was imposed while Lord Sydenham, formerly the President of the Board of Trade in England, was at the head of affairs, and had it been an infraction upon the principle set forth in the despatches before the House, he could not

have failed to have remarked it. He did not consider the proposed duties as properly coming under the definition of Differential Duties, or placing the trade of the United States on a footing different from that of other foreign countries, so long as the channel of the St. Lawrence from sea was alike open to both. The right to impose these duties was more particularly needed at this time, when the United States were on the eve of applying their system of drawbacks to the inland trade of the country. A bill for this purpose had already passed one branch of Congress - the House of Representatives - and if it became a law, of which there could be little doubt, would soon be followed by the more perfect system of warehousing, and the removal of goods inland under bond, when the trade of the United States in foreign goods would, as respected Canada, be placed on a more favourable footing than our trade with the mother country. If the duties levied at the port of Quebec continued to be the same as those levied at the inland ports, it would afford a strong inducement to import foreign goods by the latter channel, and prove highly detrimental to the improved navigation of the St. Lawrence, upon which this Province had expended so much money, and which was near completion. The Atlantic markets of the United States were large markets, and being easily reached, the Canada merchant could order his supplies thence, and receive them before the state of his own market could materially change - the case was different with respect to the distant markets; and no prudent men would prefer small and certain to large and uncertain profits, they would import from the United States, and which, he (Mr. M.) repeated, would tend greatly to lessen the value of our public works. We had all we required for transit on the St. Lawrence - the warehousing system was in full operation here - we could bond our goods on arrival and carry them in bond to any part of the interior - and even foreign goods could be imported by the St. Lawrence, and carried in bond to any port on the inland waters, on either side of the Lakes, without the payment of either Imperial or Provincial duty. With respect to importations from the United States by inland communication, already carried on to a great extent - if we did not possess the right to regulate the intercourse, and to impose discriminating duties thereon, the system about to be adopted by the United States would have a most serious effect on the trade of the St. Lawrence, and on our intercourse with the mother country, and he recommended to the Administration to lose no time in applying to the Imperial Government on the subject, in order that the question might be fully considered, and a system of duties arranged, to come into operation as soon as the public works were completed.<sup>89</sup>

MR. ROBINSON said, with regard to the military contracts, he considered that the Legislature had no power to interfere. If the duty were levied, it would have to be returned, as £4800 had already been.<sup>90</sup>

MR. WATTS said that he had intended to have put the same question as had been put by Mr. Colvile relative to Timber now being cut in the



United States; but it having been satisfactorily answered by the Inspector General, he had nothing to say upon the subject. But he was not satisfied with the duties proposed to be levied upon cattle, as far as related to Lower Canada, if that tariff was not intended to raise a Revenue but for protection to the Agricultural interests of Lower Canada, it was not satisfactory, for it was altogether insufficient for the purpose. There was no possibility of the agriculture of Lower Canada progressing unless higher duties were levied. For many years past it had been in so impoverished a state that it was well known that farms could not be sold for the amount they had cost in clearing, if the buildings upon them were given in the bargain in fact they were altogether unsaleable and did not pay the proprietors interest for the money laid out upon them. In those cases where farmers worked with hired laborers, the laborers had by far the best of the bargain; and there were many instances in which they left their farms and became laborers themselves. It was impossible that such a ruinous state of affairs could continue any longer. In consequence of the large importations of American beasts, cattle raising had ceased to be remunerative. He did not consider that the Inspector General had acted for the benefit of the Agricultural interests, when he had not consulted the Committee which was sitting to enquire into the causes of the depressed state of Agriculture; had he done so it would have been able to have given him some important information. In the evidence taken before the committee it was shown that the farmer lost £5 upon every yoke of oxen he raised, and that the labourer at ((?)) dollars a month was better off than his master. A great quantity of grain was brought in from the United States for the use of distillers, and he considered that there should be a heavy duty upon it, for this Province might as well have the money as our neighbours. The farming interests had been always neglected for the benefit of trade; Canada had one time possessed a large and lucrative trade with the West Indies, until an Act of the Imperial Legislature took away that trade, closed the West India ports to our produce, and opened our own frontier to the admission of American grain and provisions. In fact every enactment of the Provincial and Imperial Parliament had been to the detriment of the Agricultural interests. The farmers were left to take care of themselves, they stood alone in that House, and if they were true to themselves and acted without reference to parties or the Ministry, they were strong enough to obtain justice, and ((return)) the yeomanry of the country to the level that they ought to occupy. The way to help the farmer was not to send the tax gatherer to him for a miserable pittance for educational purposes, but to protect him so that he might obtain fair payment for his produce. Had other interests been neglected in the same way that the farmers had been? No, the farming interests alone had been sacrificed to the principles of free trade, the sellers had no protection, but the buyers had. The tariff of Canada did not allow the Canadian farmer to go across the frontier to

his best market for the articles which he consumed; but he was compelled to buy in Montreal and other large cities, and to sell there to (sic), while the buyer could go where he pleased. If there were a reciprocal system between Canada and the United States, the farmer would not ask for protection; the Canadian farmer would not object to the American coming to the Canadian market, if the American market were open to him. But according to the present system, foreigners were protected at the expense of our own people. The demands of the agriculturists were reasonable; they only asked such a protection as should enable them to compete with the American in their own market. By imposing a higher tax the people of the United States would be compelled to send in their best cattle to the market, instead of the dirty refuse which they did now. As to a high tariff having the effect of encouraging smuggling, it would be recollected that smugglers would have to run the gauntlet through their enemies, and it would be the interest of every farmer to aid the Revenue Officers as much as possible. Men who had embarked their capital in Lower Canada, left it in disgust in a few years, and the cause was that, on account of the want of protection, farming did not pay. There was a growing feeling of discontent in the Townships, which was either disregarded or not known by the Government; and the consequence of it was, that of seven Members from the District of Three Rivers, not one who had not come out in favor of agricultural protection had been returned to Parliament. Of those seven Members he had been the only one who had stood up for it in the last Parliament, and he was the only one returned; in the place of those who had formerly represented the other counties, others, pledged to support the agricultural interests, had been chosen. The strongest cry which had been raised against the President of the Council was that he had advocated the principles of free trade; and it was on this account, more than any political opinions which he entertained, that he had been sent about the country a beggar for a constituency, and he hoped that he would be always one.<sup>91</sup>

Repeated cheers from the Opposition.<sup>92</sup>

If he (MR. WATTS) had a vote in the county for which Mr. Viger was a candidate, he would travel two hundred miles to record against him.<sup>93</sup>

Cheers from the Opposition.<sup>94</sup>

((MR. WATTS continued:)) It was the most shortsighted policy for a country not to foster its own production, and yet that had been the policy all along pursued in this colony, and the consequence was, that in 14 years the population of Lower Canada had only increased 33 per cent, or about the same ratio as that of England, although Great Britain had been sending out in that time hundreds of thousands of immigrants. But those immigrants who came to Lower Canada would not remain; some went to Upper Canada, but the greater part to the United States, and thus British thews and sinews and British capital went to

enrich America, because the foolish legislation of this colony would not allow them to remain here. It might be said that the feudal tenure was the cause of it; it was true that it might prevent men of capital from settling, but it would not prevent the poor, hard-working man. On the contrary, the feudal tenure was the most favourable to the increase of the population, because for a few shillings a year he obtained a farm which he could transmit to his family. He would not allow that the feudal tenure was the cause of the population not increasing. When the man of capital came to Lower Canada, he asked what market there was for produce, and he found he had only the Canadian market, while that of the United States was closed against him; but when he went to the States he found he had two markets, the American and the Canadian, and it was not surprising that he should choose that country to settle in, where he had two. He had seen two farms upon the frontier belonging to brothers, the one upon one side of the line, and the other upon the other side; and the one upon the American side would sell readily for double what the other was valued at, although there was no difference in soil or climate, while the other could not be sold at all. And the reason was faulty legislation. It was the duty of every member of that House to endeavour by every means in his power to increase the population of the Colony. (Cheers and laughter!) He was no great admirer of American Institutions, but he would not refuse to take a leaf out of their book, when it was a good one; the Government there had begun where we left off, by giving every encouragement and protection to native industry, and the consequence was that they were now beating Great Britain in these markets which had been considered peculiarly her own. All the Ministry, with the exception of the Member for London, were Representatives of farming interests, and he would be bound had all advocated Agricultural Protection upon the Hustings. The Attorney General of Lower Canada had come out strong in an Address in favor of a reciprocal system of duties; and he would tell those Honble. gentlemen that the country had its eyes upon them, and expected something more than had been done by the Inspector General, who got up and said that he was a Representative of farming interests, and an advocate of protection, and then sit (sic) down record (sic) his vote in favour of the first item of the tariff which reduce the duties upon cows 25 per cent. (Shouts of laughter!) Honble. gentlemen might laugh, but that was a funny way to protect the Agriculturist, - that was a funny way to help a lame dog over the stile. When the Attorney General brought in his Bill relative to shipping, he admired it as a most statesmanlike measure, and he had said to himself, with this and Agricultural protection, to which he is pledged, what a happy country this will be. (Cheers and laughter!) But what is the use of increasing the shipping upon the Inland Waters, if the population is not also increased, and the Province were left dependent upon Foreigners. There was no need of a larger Revenue than the Province possessed, and supposing that the duty imposed upon cattle should amount to a prohibition, and the £15,000 received from it last year should be lost, at

least £300,000 would be saved to the Province, which was now paid to foreigners, and our farmers would have that much more to lay out for merchandize; and the merchant would be more benefitted than the farmer. It was not his wish to exalt the farming interests at the expense of others, but he wished to rouse farming from the humiliating position it was now in - the last refuge for the destitute, the poor, and miserable. From the system which had been pursued, the children of U. E. Loyalists settled in the Townships were leaving them, as they grew up, and going South; and only the least intelligent, those who could do no good anywhere stopped behind. And settling aside the regard for the flag of Great Britain, and the love of country, he was convinced that the inhabitants of the Townships would be more happy and prosperous under the flag of the United States.<sup>95</sup>

Cheers from the Opposition.<sup>96</sup>

((MR. WATTS resumed:)) The member for Lincoln had talked of Canada being soon able to export beef to England, he could tell him that he would not get the people of England to eat salt beef, they would not look at it; and he would be sorry to stand in that gentleman's shoes if he were to have temerity enough to broach the subject in a work house. With regard to the proposed admission of rum at a less duty than any other spirit, it was notorious that five-sixths of the rum imported came from the United States, and he did not see why Spirits from the United States should be admitted at a less duty than Spirits from the Mother Country.<sup>97</sup>

COLONEL PRINCE contended, that it was not by Legislation that the agriculture of the Province was to be benefitted. There were several matters which depressed agriculture here which belong to no other country in the world. Even in Upper Canada - and he certainly considered himself some authority on this point, as he had lived there for the past twelve years, - it was even in Upper Canada this remark was true, although their soil and climate and system of farming were so much better ... than those of their friends who resided in the Lower part of the Province. - (No, no.) - Gentlemen who cry No, no said the hon. member, must come and see the plans of farming, and the improvements we have made there; they must examine the qualities of our fertile and virgin soils, and they must come and see our fine climate, and they must taste the strong beer and our cider, and all these things which we have there for we are great friends of John Barleycorn in Upper Canada. I say that all these things must be examined before our friends take upon themselves to deny that Upper Canada has superior advantages to Lower Canada. The hon. gentleman went on to remark that notwithstanding the advantages which were possessed by the Upper part of the Province, there are still one or two radical defects throughout Lower Canada, which it will require ages to get over, and some which will never be surmounted. The first to which he would advert is the climate. He maintained that must always present insurmountable



obstacles to the success, even of the most active and the richest farmers. He believed that with such a climate it is impossible except at war prices to conduct the business of farming to any profitable extent; for he would be glad to know what man on earth could fodder cattle for seven months and turn them out at the end of that time, worth the cost of the fodder they consumed during the winter. That is a barrier to prosperous farming which nothing but war prices can overcome, and even at war prices, who can pay the wages which prevail in this country? Until there shall be a wholesome influx of labourers of the hardy peasantry of England, Ireland and Scotland, until there shall be a greater number of steady, industrious workmen of that class, it will be impossible to carry on the business of farming to any considerable extent. Farming is not carried on in the country as a business, there are very few extensive farmers to be seen, for although people talk about the success of the active, industrious farmers, and although it is true that to a certain extent the industrious man always will be successful, yet he contended, that the only man who can undertake farming with any fair prospect of success, is the man with a large and industrious family, who has no labour to pay for, but by the hard work of himself and his children contrive to raise sufficient to feed his family, with just enough of surplus produce to purchase a few clothes and other necessities for them. Men in that position were contented and happy, and if he were one of them he would not have to regret the immense capital he had lost. If he had ascertained the proper course for him to pursue in the first instance he would have known, that instead of laying out his money in farming, he might as well have thrown it from Waterloo bridge into the Thames which washed the wall of London. But what could Legislation do? Would a tax of £5 on the fat ox be the proper way to benefit the farmers? It would be all very well to put a moderate duty on produce, and he wisseed (sic) to see it done, he cared not what duty was levied, with all the House could do, it would be quite impossible to compete with the extensive Ohio farmer, with his thousand((s)) of acres of pasture, or with the farmers of Illinois, or even those of Michigan, just opposite to his residence. Can the people of this Province complete (sic) with these people in supplying cattle for the use of the troops, and of the commissariat? No, they cannot. The Ohio farmer, 200 miles from the frontier, can send 100 head of cattle which would not cost him \$100. He (the American) had a mild winter, and he has thousands of acres of prairie, upon which his cattle get fat, so that he brings them into the market without any further expense than the cost of the man who looks after the herd, and of the driver who brings them to market. There is but one species of produce which pays at all in this country - that is wheat, the farmer may raise barley, or he may raise oats, or he may raise cattle, but he cannot compete with the Americans except in wheat, of which article the prices are high, because the country enjoys the protection of the Imperial Legislature, a protection he hoped to God would be continued, because if it were withdrawn, away would go the

farming interest at once. The two great causes of agricultural depression, and as he had said before, he ought to know something about it, the two great causes were the severity of climate, and the immense expense of labour. What, he would ask, could one pair of hands do alone on a farm? A great deal had been said about the hard working farmer, and no doubt, he was a most meritorious person; but it is nonsense to call a man who cultivates fifty or one hundred acres of land a farmer, in the European acceptation of the term. No one there is a farmer unless he occupy 300 or 400 acres. He desired to see the farmer in that elevated position which he ought to occupy, and which had been described by his hon. friend the member for Drummond, but such a man must be one who employs capital, and ability; he ought not to hold the plough, or drive the team, but should be occupied in having a master's eye to see that those under him do their duty, to apply the wisdom and the skill acquired by studious investigation in directing the great machinery which he employs. It is degrading to talk of the farmer holding the plough, and driving the team. The farmer in the broad sense of the word, is the man of capital, who directs his men, and teaches them to conduct the management of the soil on scientific principles. It would however, he feared, be a long time before Canada could reward such men as these. He (Col. Prince) had been all his life devoted to agricultural pursuits, his father bred some of the finest cattle in England, therefore, he might well be supposed to possess, what his friends around him would call a penchant for farming, but to talk of farming as a profitable occupation, was absolutely absurd; he had spent £10,000 in farming here, and he held out his example to others, in order that they might not be such fools as to follow his example, nevertheless, he did not entirely regret the course of life which he had pursued, there would at least be an inheritance for his children, and he enjoyed the satisfaction of believing, that he had set an example to some of his neighbours, who would not otherwise have carried out the improvements that have taken place around him. Again, as to the importation of stock, he said that the man is a fool, that it is the perfection of folly and nonsense for any man to attempt anything of the kind; let the House give sums to Agricultural Societies, for the purpose of such importations, if it pleased, but it is ruin for private individuals to do it, he had done it himself, but he had never received any profit from it, and he was fully convinced that there never would be any. He repeated that legislation was powerless, though he desired to see everything moderately taxed; he entertained no hope of doing any great good by such means, but there is one exception to this rule, that is tobacco. There is a favoured part of the Western Country, where the culture of that plant can be carried on, and has been formerly carried on to a very considerable extent, and it furnished employment to a great number of women and children. He thought that was a commodity on which a high protective duty might be fairly placed, but

when he looked at the tariff placed before the House, he found no higher a duty than a poor half-penny per lb. instead of the 2½d. which had formerly been levied. He did hope that the Hon. Attorney General and the Hon. Inspector General would take compassion on the poor people in the West, and would give them a little more than this halfpenny duty. The smallest contribution, to use the language of solicitors for charities - the smallest contribution will be thankfully received. If the hon. gentlemen would give 2d per lb., he would say no more about it and he was sure that his neighbours would raise tobacco good enough to satisfy the hon. member for Montreal, or those with whom he deals. He still retained the hope that Ministers would sustain him, ((on?)) a motion on this subject of which he had given notice and which he intended to follow up. With regard to the speech of the hon. Attorney General, to which the hon. member for Drummond had referred, he must say, that he heartily approved of it, he had only promised to do what every man should do, to give his support to the encouragement of agriculture. He believed every man in the Province, whether a merchant, or a mechanic, was anxious for the prosperity of that important interest at the same time he desired to protect the ministers from the insinuation that they were injuring agriculture because they did not impose a higher scale of duties. He did not believe that such a course was at all calculated to elevate the condition of the farmer, nor raise agriculture from its present degraded state. No one felt the existing state of things more than himself, but the season must be altered before man will be able to carry on farming with a profit, and labor must be cheaper. When these two desiderata are carried out, profitable farming may perhaps commence.<sup>98</sup>

The INSPECTOR GENERAL ((MR. ROBINSON)) remarked that it was quite impossible to please every one on such subjects as the present one, he had compared the scale of duties proposed to be tried on Agricultural Produce, with the tariff of the United States, and he believed, that if the hon. member for Drummond would examine the matter he would find that the principle of reciprocity would be nearly carried out. A high rate of duties would have only one of two effects, it would either keep out foreign produce altogether or it would tend to put a premium upon the operation of the smuggler. He did not believe that these very high duties were at all desirable, because it was notorious that cattle were very frequently so cheap as to admit of exportation. The duties proposed were one hundred per cent more than those of last year, and he knew that even under the last tariff a great deal of smuggling took place.<sup>99</sup>

DR. NELSON said that he had formerly possessed several large farms, and had always done everything in his power to cultivate the farming interest. He used at that time to take the most intelligent of his neighbours to his farm, in order to show them the advantage of changing their old practices. His experience led him to believe that

unless the farmers of this country were protected against the competition of the Americans, the interests of Agriculture in the Lower Province must languish where the winter lasted seven months. The hon. member for Essex, however, was in error in saying that the ox would eat as much fodder during the winter as it was worth, because in fact, the only way of making fodder valuable at all, was by feeding cattle upon it. The ... great evil however, which the farmers labor under is the reduction in prices caused by competition. He could recollect the time when a farmer could get \$60 or \$70 for a yoke of oxen, while at present he can get no more than \$30 or \$40. Only a few days ago he met a farmer who had a fine milk cow in his cart. He told him Dr. Nelson, that he was taking the cow home again for although she was honestly worth \$20 he could not get the offer of \$10. Now upon the other side of the line wherever the traveller goes, he sees smiling villages in every one of which there is an academy and two or three places of worship. While on this side he sees nothing like spirited (sic) enterprise, but the whole country appears as if blasted by a perennial sirocco. The only means of altering that state of things is by supporting the farming interest. It was true that duties might make the consumer pay a little more, but then the money remained in the country, and the people all prospered together. Even the professional men are advantaged by it, bad off as they usually are, for when a farmer comes to town and gets a little medicine for himself, he has now frequently to tell the doctor he cannot pay him the whole of the amount even though it be but 12s. or 15s., because he cannot sell his produce to advantage, whereas if he got more money for it, doctors, lawyers, and merchants would all share in the advantage. The hon. member remarked in continuation that the level of agricultural improvement in Lower Canada is not high, it is to be imputed to the want of good examples, in explanation of which he related the particulars of the conversation he had once had with an extensive seigniorial proprietor. His friend complained of the stupidity and the licence of the Canadians, as exhibited in the ((horrible?)) state of the roads and the fields; upon which he, (Dr. Nelson) had remarked to him, that if he would examine the roads in his own occupation, he would see that they were by far the worst in the neighbourhood. The hon. gentleman was about to enter into a detailed account of what the hon. D. B. Viger had said, and of what he (Dr. Nelson) had called the ... of the latter gentleman<sup>100</sup>.

He was called to order by the Chairman ((MR. HENRY SMITH)); and sat down.<sup>101</sup>

MR. MERRITT said, that in the district of Niagara, agriculture is in a far more diminishing state than on the other side of the line, on account of the English duty being taken off. The farmers got better prices than those which ruled in the States and they are perfectly contented, and satisfied that everything possible has been done for them.<sup>102</sup>



The committee proceeded to vote the different items in the schedule. A long discussion took place on the duties on live stock.<sup>103</sup>

MR. WATTS moved several amendments for increasing the duty on cows and heifers which was 15s in the schedule.<sup>104</sup>

MR. RIDDELL spoke against the amendment as a farmer and representing farmers. He thought that 15s was quite sufficient, it was 20 per cent ad valorem.<sup>104</sup>

((The amendment was carried.))<sup>106</sup>

The duty on horses ... was raised to £1 10s. and on oxen bulls and steers also to £1 10.<sup>107</sup>

The duties on womens' boots of leather was raised from 5s. to 7s. 6d. per dozen and on womens' boots and shoes of silk, satin, &c. from 6s. to 7s. 6d. per dozen.<sup>108</sup>

MR. ROBLIN ((moved)) a Provincial duty of 6d. sterling .. ((be)) placed on flour in addition to the 2s. imperial which will make the duty 3s. 0½d. currency per barrel.<sup>109</sup>

((This amendment was carried.))<sup>110</sup>

((An amendment was carried taxing)) Leaf Tobacco 1d. instead of ½d.<sup>111</sup> The clause allowing the commissariat to import without duty was struck out.<sup>112</sup>

(317)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Smith reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.*

Ordered, *That the Report be received to-morrow.*

Ordered, *That the remaining Orders of the Day be postponed until to-morrow.*

*Then, on motion of Mr. Macdonell, of Dundas,*

*The House adjourned.*<sup>113</sup>

APPENDIX, 3 MARCH 1845.

((NOTICE OF PROPOSED MOTIONS.))

The Hon. MR. DRAPER<sup>114</sup> gave notice of his intention to bring in a bill to-morrow to amend the charter of King's College. (Hear, hear.)<sup>115</sup>

((Mr. Draper also gave notice of)) a bid to endow a university in Upper Canada, whenever the same may be erected and established.<sup>116</sup>

FOOTNOTES - 3 MARCH 1845.

1. PILOT, 6 March 1845.
2. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 4 March 1845, in an account identical to that of BRITISH WHIG, 7 March 1845; LE JOURNAL DE QUEBEC, 15 March 1845; and MONTREAL GAZETTE, 4 March 1845.
3. MONTREAL TRANSCRIPT, 4 March 1845.
4. IBID.
5. MONTREAL GAZETTE, 4 March 1845.
6. LE JOURNAL DE QUEBEC, 15 March 1845.
7. MONTREAL TRANSCRIPT, 4 March 1845.
8. This petition prayed "for the settlement of their accounts as contractors on the Chambly Canal". MONTREAL TRANSCRIPT, 4 March 1845.
9. MONTREAL TRANSCRIPT, 4 March 1845.
10. IBID., which mistakenly identified the mover as Chabot rather than Dr. Taché.
11. IBID.
12. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 4 March 1845, which was abbreviated by KINGSTON NEWS, 6 March 1845, ST. CATHARINES JOURNAL, 13 March 1845, BRITISH WHIG, 7 March 1845, and MONTREAL GAZETTE, 6 March 1845, in accounts identical in most respects, but in which some speakers are omitted from the TRANSCRIPT, the BRITISH WHIG, and the ST. CATHARINES JOURNAL, other speeches are abbreviated, and some speeches are completely different; the BROCKVILLE RECORDER, 6 March 1845, and MONTREAL TRANSCRIPT, 6 March 1845, in identical accounts; PILOT, 6 March 1845; and LA MINERVE, 10 March 1845. When selections are chosen from those few identical accounts in MONTREAL TRANSCRIPT, ST. CATHARINES JOURNAL, and MONTREAL GAZETTE, the ST. CATHARINES JOURNAL or MONTREAL TRANSCRIPT was used wherever possible for portions of the text which are nearly illegible in the MONTREAL GAZETTE. The BROCKVILLE RECORDER, 13 March 1845, copied from the KINGSTON CHRONICLE; and LE CANADIEN, 7 March 1845, contained commentaries.
13. PILOT, 6 March 1845.
14. BROCKVILLE RECORDER, 6 March 1845.
15. ST. CATHARINES JOURNAL, 13 March 1845.
16. PILOT, 6 March 1845.
17. ST. CATHARINES JOURNAL, 13 March 1845.
18. PILOT, 6 March 1845.
19. ST. CATHARINES JOURNAL, 13 March 1845.
20. IBID. The various reports, however, list only three of these four opinions.
21. MONTREAL GAZETTE, 6 March 1845.
22. ST. CATHARINES JOURNAL, 13 March 1845.
23. MONTREAL GAZETTE, 6 March 1845.
24. ST. CATHARINES JOURNAL, 13 March 1845.
25. MONTREAL GAZETTE, 6 March 1845.
26. ST. CATHARINES JOURNAL, 13 March 1845. However, the MONTREAL GAZETTE reports the date of this address as 1839.

27. IBID.
28. MONTREAL GAZETTE, 6 March 1845.
29. ST. CATHARINES JOURNAL, 13 March 1845.
30. MONTREAL GAZETTE, 6 March 1845.
31. ST. CATHARINES JOURNAL, 13 March 1845.
32. MONTREAL GAZETTE, 6 March 1845.
33. ST. CATHARINES JOURNAL, 13 March 1845.
34. MONTREAL GAZETTE, 6 March 1845.
35. ST. CATHARINES JOURNAL, 13 March 1845.
36. MONTREAL GAZETTE, 6 March 1845.
37. ST. CATHARINES JOURNAL, 13 March 1845.
38. MONTREAL GAZETTE, 6 March 1845.
39. ST. CATHARINES JOURNAL, 13 March 1845.
40. MONTREAL GAZETTE, 6 March 1845.
41. ST. CATHARINES JOURNAL, 13 March 1845.
42. MONTREAL GAZETTE, 6 March 1845.
43. ST. CATHARINES JOURNAL, 13 March 1845.
44. MONTREAL GAZETTE, 6 March 1845.
45. IBID.
46. IBID.
47. ST. CATHARINES JOURNAL, 13 March 1845.
48. MONTREAL GAZETTE, 6 March 1845.
49. ST. CATHARINES JOURNAL, 13 March 1845.
50. MONTREAL GAZETTE, 6 March 1845.
51. ST. CATHARINES JOURNAL, 13 March 1845.
52. MONTREAL GAZETTE, 6 March 1845.
53. ST. CATHARINES JOURNAL, 13 March 1845.
54. MONTREAL GAZETTE, 6 March 1845.
55. ST. CATHARINES JOURNAL, 13 March 1845.
56. MONTREAL GAZETTE, 6 March 1845.
57. ST. CATHARINES JOURNAL, 13 March 1845.
58. MONTREAL GAZETTE, 6 March 1845.
59. ST. CATHARINES JOURNAL, 13 March 1845.
60. MONTREAL GAZETTE, 6 March 1845.
61. ST. CATHARINES JOURNAL, 13 March 1845.
62. MONTREAL GAZETTE, 6 March 1845.
63. ST. CATHARINES JOURNAL, 13 March 1845.
64. MONTREAL GAZETTE, 6 March 1845.
65. ST. CATHARINES JOURNAL, 13 March 1845.
66. MONTREAL GAZETTE, 6 March 1845.
67. ST. CATHARINES JOURNAL, 13 March 1845.
68. MONTREAL GAZETTE, 6 March 1845.
69. ST. CATHARINES JOURNAL, 13 March 1845.
70. MONTREAL GAZETTE, 6 March 1845.
71. ST. CATHARINES JOURNAL, 13 March 1845.
72. MONTREAL GAZETTE, 6 March 1845.
73. IBID.
74. IBID. Ellipses represent illegible words.



75. IBID.
76. PILOT, 6 March 1845.
77. MONTREAL GAZETTE, 6 March 1845.
78. PILOT, 6 March 1845.
79. MONTREAL GAZETTE, 6 March 1845.
80. PILOT, 6 March 1845.
81. MONTREAL GAZETTE, 6 March 1845.
82. IBID.
83. IBID.
84. IBID.
85. IBID. The ellipsis represents an illegible word.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID. The ellipsis represents an illegible word.
101. IBID.
102. IBID.
103. PILOT, 6 March 1845.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. BROCKVILLE RECORDER, 6 March 1845.
112. PILOT, 6 March 1845.
113. The MONTREAL GAZETTE, 6 March 1845, reported that the House adjourned at 2:45 a.m.
114. The debate on this matter was reported by: the BRITISH COLONIST, 11 March 1845; and the MONTREAL TRANSCRIPT, 4 March 1845, copied by KINGSTON NEWS, 6 March 1845, and the BRITISH WHIG, 7 March 1845, in identical accounts.
115. MONTREAL TRANSCRIPT, 4 March 1845.
116. IBID.

TUESDAY, 4 MARCH 1845.

(317)

House present-  
ed Addresses.

MR. SPEAKER reported that both Houses had attended His Excellency, the Governor General, this day, with their Addresses, to which His Excellency was pleased to give the following answer:--

Honourable Gentlemen and Gentlemen,

I will not fail to transmit your joint Address to Her Majesty's Secretary of State, to be laid at the foot of the Throne for Her Majesty's gracious consideration.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Colville, the Petition of the Reverend R. G. Plees and others, members of the Church of England, in the mission of Russeltown Flats, and parts adjacent.

By Mr. Roblin, the Petition of John Sills and others, occupants of Clergy Reserves in Sophiasburg, in the district of Prince Edward.

By Mr. LeMoine, the Petition of Oliver Odell and others, of the seigniority of Lacolle, in the county of Huntingdon, and the Petition of Leonard Pine.

By Mr. Dunlop, the Petition of J.K. Gooding, and T.B. Woodcliff, in behalf of a meeting of the inhabitants of the district of Huron.

By Mr. Cummings, the Petition of the Municipal Council of the district of Niagara.

By Mr. Dickson, the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by the Honourable Mr. Attorney General Smith,

Savings Banks.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend an Act therein mentioned, for the establishment and encouragement of Savings Banks," as amended, be now read for the third time.

The said amendment was accordingly read for the third time.

Resolved, That the said amendment, as amended, do pass.

Ordered, That the Honourable Mr. Solicitor General Herwood do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment, with an amendment, to which they desire their concurrence.

Petitions  
referred.

M. Héroux  
and others.

Ordered, That the Petition of M. Héroux and others, of St. Phillipe and other parishes, be referred to the Select Committee, to which was referred the Bill to extend the provisions of the thirteenth Section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to enable persons who located lands prior to the fourth April 1839, to perfect their titles to the same, and other references.

Jennet Roy.

Resolved, That the Petition of Jennet Roy, widow of the late Thomas Roy, Civil Engineer, of the city of Toronto, be referred to a Select Committee, composed of Mr. Duplop, the Honourable Mr. Baldwin, the Honourable Mr. Morin, Mr. Cassidy, and Mr. Johnston, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

(318)

Bank of  
Montreal.

Ordered, That the Petition of the Bank of Montreal, the City Bank, and the Banque du Peuple; and the Petition of James Gibb, Esquire, President of the Quebec Bank, be severally referred to the Select Committee, to which was referred the Petition of the Bank of Upper Canada, of the Commercial Bank of the Midland district, and of the Gore Bank.

Election, Third  
Riding York.

Mr. Taché, from the Select Committee, appointed to try the merits of the Petition of Robert Hamilton and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House that the Committee met this day, but were unable to proceed to business in consequence of the absence of the Honourable Mr. Attorney General Smith, the Honourable Mr. Aylwin, and Mr. Macdonell, of Dundas.

Resolved, That as the Honourable Mr. Attorney General Smith has absented himself, by reason of necessary public business, he be excused.

Resolved, That as the Honourable Mr. Aylwin and Mr. Macdonnell of Dundas, have absented themselves, by reason of ill health, they be excused.

Commutation  
of Tenure.

Mr. Christie, from the Select Committee, to which was referred the Bill, the better to facilitate commutation of the tenure en roture in the Seigniories

and Fiefs in Lower Canada, into that of Free and Common Soccage, reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Monday next.

On motion of Mr. DeWitt, seconded by Mr. Christie,

Wardens,  
House of  
Industry.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct the proper officer to lay before this House, a return of the names of the Wardens of the House of Industry of the city of Montreal, for the last five years, with a detailed statement of the Property, real and personal, held by them for the purposes of the said institution.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Registry,  
County of  
Hastings.

Ordered, That Mr. Murney have leave to bring in a Bill to make valid the registration of Title Deeds and other Documents in the county of Hastings.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Duty on  
Tobacco.

Resolved, That a Select Committee, composed of Mr. Prince, Mr. Merritt, and Mr. Dunlop, be appointed to prepare and report the draught of an humble Address to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament a reduction of the Duty on Tobacco, the produce of this Province, imported into the United Kingdom.

Mr. Prince, from the Select Committee, appointed to prepare and report the draught of an humble Address to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament a reduction of the Duty on Tobacco, the produce of this Province, imported into the United Kingdom, presented to the House the Address prepared by the said Committee, which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:--



We, Your Majesty's dutiful and loyal subjects, the Commons of Canada, in Provincial Parliament assembled, humbly beg leave to approach Your Majesty with sentiments of deep gratitude for the encouragement afforded by Your Majesty's Imperial Parliament to our Agriculturists in the growth of Wheat, in this Province, and for the advantages still enjoyed by us, as the result of Your Majesty's maternal consideration towards us.

We now most humbly beg leave to state to Your Majesty, that in the year 1824, the Parliament of the then Province of Upper Canada, represented to His late Majesty, King George IV., that the Western districts, though highly favoured with regard to soil and climate, were, from their remote situation, subjected to greater difficulties and expense than the other portions of Upper Canada, in conveying their produce to market:--that the uncertainty of a profitable market for their staple commodities, necessarily depreciate their value, and tend to check the Commercial and Agricultural prosperity of those remote sections of the Province;--that actual experiment had proved that the climate and soil of the Western districts were well adapted to the cultivation of tobacco, and that if their inhabitants were encouraged to turn their attention to that article, the Province would derive great advantages from its culture. Upon that representation, and the prayer thereto, Her Majesty's Government obtained from Parliament, such an abatement of the duties upon tobacco, the produce of Upper Canada, as it was supposed would enable the growers of the article to obtain remunerating prices, and to compete, in the English market, with the producers of tobacco in the United States. Experience has, however, shown that the abatement of 3d. per lb., which was at that time conceded, is not sufficient to afford that decisive encouragement which, it is humbly presumed was intended by the Government, and desired by the Legislature of Upper Canada.

We would further most humbly represent to Your Majesty, that owing to the great distance from the sea, and the heavy expense of free labour, the growers of tobacco in Upper Canada are exposed to this further disadvantage, as compared with the growers of the same article in the United States; that although in ordinary seasons the climate admits of, and is congenial to the production of tobacco, of a superior quality, and the soil is equally favourable, yet there is always risk of a total loss of crop from early frosts; and although that loss may occur but once in several years, yet the apprehension of such a failure operates as a discouragement to the investing of capital, and increases the necessity of such protection as the Government of the Parent State can extend.

We further humbly represent to Your Majesty, that subsequent to the year 1824, and until about the year 1841, tobacco was grown to a very considerable extent, and some thousands of pounds worth were annually exported from the Western districts; but the cultivation of it has, since that period, most materially decreased, owing to the low duty (1d. per lb.) which it has been deemed expedient to impose on the raw material imported into this Province from the

United States, a duty necessarily low in order to prevent smuggling, and to increase our revenues, which, added to the present high duty on such raw material, (the leaf tobacco) when grown here, and imported into Great Britain, amounts to an absolute prohibition, and has rendered it useless for our Western farmers to continue the cultivation of it, thereby nearly ruining a large and industrious population, whose soil is better adapted

(319)

for the growth of tobacco than it is for Wheat or any other farming produce, and whose children, even at a tender age, could by means of that light employment, successfully aid their parents in the profitable cultivation of that plant, which is now so generally used.

We further humbly represent to Your Majesty, that the experiment of raising tobacco in the Western districts of Upper Canada has now been fully tested, and its success established, and that there can be no doubt whatever that if our farmers are encouraged by Your Majesty's recommendation, and the generosity of the Imperial Parliament, to improve its growth by the exercise of skill and the introduction of proper sorts, it may be raised of an excellent quality, and to such an extent as to form a very considerable branch of our export trade; thereby contributing most essentially to the wealth of this Province, and to the ability of its inhabitants to supply themselves with the manufactures of Great Britain, as well as tending to increase Her revenues at home.

We therefore most earnestly and humbly hope, that from these considerations Your Majesty may be graciously pleased to recommend to the Imperial Parliament an abatement of sixpence sterling per lb., or such other abatement as to Your Majesty may seem meet, upon the duty chargeable on tobacco grown within this Province, when taken out of the Warehouse for consumption.

Ordered, That the said Address be engrossed.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

METCALFE,

Court of  
Chancery,  
Upper Canada.

The Governor General transmits, for the information of the Legislative Assembly, a copy of the Report which has been made by the Commissioners appointed to consider and report what alteration it may be exped-

ient to make in the practice and proceedings of the Court of Chancery in Upper Canada.

GOVERNMENT HOUSE,  
Montreal, 4th March, 1845.

(For Documents accompanying the said Message, see Appendix J. J.)

Ordered, That the said Message and Documents be referred to the Select Committee, to which was referred the Petition of Robert E. Burns and others, Members of the Legal Profession.

Ordered, That two hundred and fifty copies of the said Report of the Commissioners, appointed to consider and report what alterations it may be expedient to make in the practice and proceedings of the Court of Chancery in Upper Canada, be printed for the use of the Members of this House.

MR. ATTY. GEN. DRAPER<sup>1</sup> moved for leave to introduce a bill to create a University of Upper Canada, of another to endow that College, and a third to alter and amend the Charter of Queen's College.<sup>2</sup>

(319)

University of Upper Canada. Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill for erecting a University, by the name and style of the University of Upper Canada.

He accordingly presented the said Bill to the House.

He ((MR. DRAPER)) was desirous so to open the subject to the House, as to draw the fullest attention of members to the question; at the same time, he wished to say nothing which would be likely to lead to discussion upon it, because whatever hon. gentlemen might think of the merits of the bills which he offered to their notice, he was sure that no objection would be taken to their introduction. He wished at present merely to give a short explanation of the objects proposed to be attained.<sup>3</sup> He believed that, whatever opinions might be entertained in that House, one thing at least must be admitted on all hands - that there is a decided expectation on the part of the people of the country, that this question, which has so long and so deeply agitated the public mind, shall now be settled, and finally settled. Whatever might be the result of the deliberations of the House on those questions, it was its bounden duty, at least, to attempt to place them on a sound and satisfactory basis. Whether it would be successful in the endeavor to gratify the views of all parties was another thing, but he felt that it was a duty to try. He conceived that, in dealing with this matter, a great problem had to be solved; it was to find the means of enabling persons of all religious denominations - for whose benefit the crown has given public lands - to reap the advantages which that grant was intended to bestow through an university education, afforded them on the one hand, without interference with their peculiar religious belief, and on the other, without leaving



them destitute of the means of religious instruction, and the control exercised by the enforcement of religious principles - for he was one of those who held that education severed from religious and moral training was far more likely to prove a curse than a blessing. He therefore desired to solve the problem which he had mentioned. He wished, while he did not close the door to any one who professed the principles of Christianity, at the same time, to make such provisions as will enable him to obtain that religious instruction which youth, at the age of those who usually attend universities, require. There was another important thing to be considered as a strict matter of prerogative law; the crown has a right to claim the sole power of granting charters to universities. He had been guided by that principle, in following the course which had been previously taken in Upper Canada and the method then adopted, had led to a result which he trusted would be attained in the present instance likewise. Her majesty would have laid before her the sentiments of the people of the province<sup>4</sup>, or, rather, the people of Upper Canada, who were principally interested<sup>5</sup> as to the principles on which a university ought to be founded; and yet it would be left with her majesty to grant the ((royal)) charter or not, at her own pleasure. The measure was predicated on the supposition that the legislature of the province would sanction nothing, which could present obstacles to the exercise of the prerogative. He should, therefore, move to introduce the bill for providing the powers by which an university may be created. Its clauses were simply those, which in a royal charter would declare; how such an institution should be formed and governed, and what should be its character, and the nature of its instructions. And then if her majesty's ministers at home advise her that the rights of the prerogative render it desirable that the institution should be created by a royal charter, the opinion of the people of this country will be there, to show their feelings on the subject; and the charter will not be granted in ignorance of their wishes, but he hoped, in accordance with them. If, on the other hand, her majesty be advised to let the law as passed by the provincial legislature go into operation, it would be no interference with the prerogative. At present he would abstain from entering into any discussion of the contents of the bill; because on the second reading, he should have an opportunity of calling attention to its provisions, and for the present he would only say, that the university was not intended to have any control over the peculiar religious observances of the students, but at the same time there would be means afforded to different denominations of Christians, not only of giving religious instruction but also of enforcing a religious and moral discipline upon the several pupils, so that religion and knowledge may go hand in hand together, and that science may be what, is his opinion, she always ought to be, the handmaid of religion and morality. He would move the first reading of the bill for the erection of an University of Upper Canada.<sup>6</sup>

MR. MURNEY wished to ask the Attorney General for Upper Canada, if it was his intention to proceed with these bills this session, or, after



they were read a second time, to allow them to lie over until the next.<sup>7</sup>

ATT. GEN. ((MR.)) DRAPER replied, that he thought it would be unfair to press for an answer to this question for the present. When the bill came up for second reading, he would be prepared to state his intentions fully.<sup>8</sup>

MR. JOHNSTON said it was too late in the Session to bring forward a measure of that kind, and if it were passed, he should vote against it<sup>9</sup> as an interference with the vested rights of individuals.<sup>10</sup>

MR. BALDWIN entirely agreed with the propriety of a public expression of the feelings of the country, and he only regretted that it had been delayed to so late a period of the session. He therefore congratulated the House that, at last, the Ministry had come down with the promised measure on the subject. He, however, had remarked that the hon. Attorney General had made use of the little but very significant word, if. He had said, if this happened, so and so would be done. Now that reminded him (Mr. Baldwin) of the forms which he used to pore over when he was at his studies; there was one of them, "by whom, &c." "to recognise, &c.", and several more &c.'s. He said that he was reminded of this when the honorable Attorney General was speaking, for he thought his remarks had little more effect, than if he had said - "If Her Majesty, &c." However, he would avoid entering into any discussion for the present.<sup>11</sup>

(319)

*and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.*

Endowment  
for University.

*Ordered, That the Honourable Mr. Attorney General  
Draper have leave to bring in a Bill to vest  
the endowment granted by the Crown, for University  
Education in Upper Canada, in the University of Upper Canada, and  
for other purposes therein mentioned.*

*He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.*

University of  
King's College.

*Ordered, That the Honourable Mr. Attorney General  
Draper have leave to bring in a Bill, to repeal  
a certain Act therein mentioned, and to alter  
and amend the Charter of the University of King's College.*

*He accordingly presented the said Bill to the House, and the same was received, and read for the first time, and ordered to be read a second time on Tuesday next.*

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, the following Papers, relative to the University of King's College, viz.:--

1. An Estimate of the Income of the University of King's College, calculated on the state of its affairs at the close of the year 1844.
2. Return of the Names of the Professors in the University of King's College.
3. Return of Students in the University of King's College.
4. Return of the Expenses incurred upon the Parliament Buildings at Toronto, in fitting them up for the accommodation of the University of King's College.
5. Return of Furniture applied to each Professor.
6. Return respecting the Chaplain to the University of King's College.

(For the said Papers, see Appendix K.K.)

Taxes, Muni-  
cipal Districts,  
Lower Canada.

Ordered, That Mr. Brooks have leave to bring in a Bill in amendment to an Act 4 Victoria, chapter 4, to provide for and facilitate the collection of Taxes in the several municipal districts in that part of the Province formerly Lower Canada, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Duties on  
Customs.

Mr. Smith, of Frontenac, from the Committee of the whole House to consider the expediency of repealing certain Acts imposing duties on Customs, and for other purposes connected with the Revenue, and for enacting others in lieu thereof, reported, according to order, the resolutions of the said Committee; which resolutions were again read at the Clerk's table, and are as followeth:--

Resolved, That it is expedient that, from and after a day or days to be named, the duties imposed on goods, wares, and merchandize, imported in this Province, by the Provincial Acts 4 and 5 Victoria, chapter 14, consolidating the Laws relating to duties on imports; and 7 Victoria, chapter 2, imposing duties on Agricultural produce and live stock, which was continued by an Act passed during the present Session of

this Legislature, intituled, "An Act to continue for a limited time the Act for imposing duties on Agricultural Produce and Live Stock imported into this Province," shall cease and be repealed.

Resolved, That it is expedient that, in lieu of the aforesaid duties, there shall be payable upon goods, wares and merchandize, and on Agricultural produce and Live Stock, imported into this Province, (except those exempted from duty,) the duties respectively mentioned in the following Schedule--that is to say:--

(320)

## SCHEDULE.

ARTICLES.		Duty. Sterling.		
		£	s.	d.
<b>ANIMALS, viz.:--</b>				
Cows and Heifers	each	1	0	0
Calves	each	0	5	0
Goats	each	0	2	6
Horses, Mares, Geldings, Colts, Foals, Filies,	each	1	10	0
Kids	each	0	2	6
Lambs	each	0	1	0
Oxen and Bulls and Steers	each	1	10	0
Pigs (suckling)	each	0	0	6
Swine and Hogs	each	0	5	0
Sheep	each	0	2	0
<b>GRAIN, viz.:--</b>				
Barley	per quarter	0	3	0
Buckwheat, Bear, Big	per quarter	0	3	0
Oats	per quarter	0	2	0
Maize or Indian Corn	per quarter	0	3	0
Rye, Beans, Peas	per quarter	0	3	0
Meal of all the above grains and of wheat not bolted				
	per 196 lbs.	0	2	0
Wheat-flour	do	0	0	6
Bran or Shorts	per cwt.	0	0	3
Hay	per ton	0	6	0
Straw	per ton	0	3	0
Hops	per lb.	0	0	3

## SCHEDULE.--(Continued.)

ARTICLES.		Duty. Sterling.		
		£	s.	d.
LIQUIDS, viz.:--				
Ale and Beer,	the gallon	}	When import- ed other- wise than by sea.	0 0 3
Ale and Beer,	in Bottles,			
	the dozen			0 1 0
Cider and Perry,	the gallon			0 0 1
Vinegar	do			0 0 3
And if imported by sea, five per centum <u>ad valorem</u> .				
PROVISIONS, viz.:--				
Butter	per cwt.	0	2	0
Bacon	per cwt.	0	5	0
Cheese	per cwt.	0	2	6
Hams	per cwt.	0	5	0
Meats, salted or cured	per cwt.	0	2	0
Meats, fresh of all kinds	per cwt.	0	4	0
Candles, sperm or wax	per lb.	0	0	2
All other kinds when imported				
otherwise than by sea	per lb.	0	0	1
And if imported by sea, five per centum <u>ad valorem</u> .				
Potatoes	per bushel	0	0	3
SALT:--				
Imported otherwise than by sea, per barrel				
weighing nett 280 lbs.		0	2	6
Imported by sea	per ton	0	1	0
LEATHER, viz.:--				
Goat skins tanned, tawed, or in any way dressed	per dozen	0	5	0
Lamb or Sheep skins, tanned, tawed, or in any way dressed	per dozen	0	2	6
Calf skins do do	per lb.	0	0	6
kip skins do do	per lb.	0	0	3
Harness leather	per lb.	0	0	2
Upper leather	per lb.	0	0	2
Sole leather	per lb.	0	0	1½
Leather cut into shapes	per lb.	0	0	6



## SCHEDULE.--(Continued.)

ARTICLES.		Duty. Sterling.		
		£	s.	d.
LEATHER MANUFACTURERS, viz.:--				
Imported otherwise than by sea.	Boots, shoes and calashes, viz.:--Women's boots, shoes, and calashes of leather, per doz. pairs	0	7	6
	Women's boots and shoes of silk, satin, jean or other stuffs, kid or morocco, per dozen pairs	0	6	0
	Girls' boots, shoes and calashes of leather, under 7 inches in length, per dozen pairs	0	2	6
	Girls' boots and shoes of silk, satin, jean or other stuffs, kid or morocco, per dozen pairs	0	3	0
	Men's boots	0	2	6
	Men's shoes	0	1	0
	Boys' boots, under 8 inches	0	1	3
	Boys' shoes do do	0	0	9
When imported by sea, five per centum <u>ad valorem</u> .				
SUGAR, viz.:--				
	Muscovado and clayed that has not undergone any process whatever for refining or otherwise per lb.	0	0	1
	Refined, in loaves, lumps, or crushed, and sugar candy per lb.	0	0	1
	Bastard, and all other Sugars whatsoever, do	0	0	1
COFFEE--				
	Green per lb.	0	0	1
	Roasted per lb.	0	0	2
	Ground per lb.	0	0	4
	Cocoa per lb.	0	0	0½
	Paste Chocolate per lb.	0	0	2
	Tea per lb.	0	0	1
TOBACCO--				
	Unmanufactured per lb.	0	0	0½
	Manufactured per lb.	0	0	1
	Segars per lb.	0	2	0
	Snuff per lb.	0	0	4
	Molasses and Treacle per cwt.	0	1	0
	Syrups per gallon	0	0	9

## SCHEDULE.--(Continued.)

ARTICLES.		Duty. Sterling.		
		£	s.	d.
FRUIT, viz.:--				
Almonds	per lb.	0	0	1
Apples	per bushel	0	0	6
Apples, dried	per bushel	0	1	0
Currants	per cwt.	0	5	0
Figs	per cwt.	0	5	0
Nuts	per lb.	0	0	0 $\frac{1}{2}$
Pears	per bushel	0	1	0
Prunes	per lb.	0	0	1
Raisins, in boxes	per lb.	0	0	1
Raisins in kegs or otherwise than in boxes	per lb.	0	0	0 $\frac{1}{2}$
Maccaroni and Vermicelli	per lb.	0	0	1
Olive oil, in casks	per gallon	0	0	4
do, in jars and bottles	per gallon	0	1	0
Lard oil	per gallon	0	0	4
Linseed, raw or boiled	per gallon	0	0	2
India rubber boots and shoes	per pair	0	0	6
SPICES, viz.:--				
Cassia	per lb.	0	0	2
Cinnamon	per lb.	0	0	2
Cloves	per lb.	0	0	2
Nutmegs	per lb.	0	0	4
Pimento	per lb.	0	0	0 $\frac{1}{2}$
Pepper of all kinds	per lb.	0	0	0 $\frac{1}{2}$
Mace	per lb.	0	0	3
WOOD, viz.:--				
Pine, white, and in proportion for any smaller quantity thereof.	per 1000 cubic feet	1	5	0
Red	per 1000 cubic feet	1	15	0
Oak	per 1000 cubic feet	2	15	0
Birch	per 1000 cubic feet	2	10	0
Ash, elm, tamarac or hackmatac, and other woods not herein charged with duty	per 1000 cubic feet	1	5	0
Staves, standard or measurement, per standard mille		1	5	0

## SCHEDULE.--(Continued.)

ARTICLES.	Duty. Sterling.		
	£	s.	d.
<i>WOOD, viz.:--(cont'd)</i>			
<i>Puncheon or West India--</i>			
<i>White Oak</i> per standard mille	0	10	0
<i>Red Oak</i> per standard mille	0	7	6
<i>Ash</i> per standard mille	0	4	0
<i>Barrel</i> per standard mille	0	4	0
<i>Deals--</i>			
<i>Pine</i> per Quebec standard hundred	0	15	0
<i>Spruce</i> do do do	0	7	6
<i>Handspikes</i> per dozen	0	0	3
<i>Oars</i> per pair	0	0	3
<i>Plank, boards and all kinds of sawed lumber not herein charged with duty, per 1000 superficial feet, inch thick, and so in proportion for any greater thickness</i>	0	7	6
<i>SPIRITS OR STRONG WATERS of all sorts, viz.:--</i>			
<i>For every gallon of such spirits or strong waters, except rum of any strength, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion</i>			
(321)			
<i>for any greater strength than the strength of proof, and for any greater or less quantity than a gallon, per gallon</i>			
<i>Rum do do do do per gallon</i>	0	1	3
<i>Rum do do do do per gallon</i>	0	0	6
<i>And further, for any excess over Hydrometer proof, an equal additional duty per gallon to the duty imposed upon the said Spirits and Rum by any Act or Acts of the Imperial Parliament, and payable in this Province, until the same shall be provided for by any Act of the Imperial Parliament of Great Britain and Ireland.</i>			
<i>For every gallon of such Spirits or strong waters or Rum, sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained per gallon</i>			
<i>WINE of all kinds per gallon</i>	0	0	8
<i>And ten per centum <u>ad valorem</u>.</i>			

## SCHEDULE .--(Continued.)

ARTICLES.		Duty. Sterling.		
		£	s.	d.
Anchovies and sardines, preserved in oil	}	For every £100 of value ...	10	0
Biscuits and crackers				
Clocks and watches				
Carriages and vehicles of all kinds, unenumerated				
Dye stuffs and resins, unenumerated				
Drugs and medicines of all kinds				
Extracts, essences and perfumery				
Eggs				
Fruit, unenumerated				
Fanning and bark mills				
Machinery, unenumerated				
Oils, unenumerated, vegetable, volatile, chemical and essential				
Pickles and sauces				
Poultry and game				
Playing cards				
Sausages and puddings				
Seeds, not enumerated				
Vegetables, not enumerated				
Goods, wares, and merchandise not otherwise charged with duty and not herein declared to be free of duty	}	For every £100 of the value	5	0
Ashes of all kinds	}	For every £100 of value ...	1	0
Bark				
Burr stones, unwrought				
Berries, nuts and vegetables, used principally in dying				
Cotton wool				
Coals				
Furs, skins or peltries, undressed or unmanufactured				
Hemp, flax and tow				
Hides, raw				



## SCHEDULE.--(Continued.)

ARTICLES.		Duty. Sterling.
		£   s.   d.
Mahogany and hardwood, unmanufactured, for furniture	}      For every £100 of value ...	
Pig iron		
Palm oil		
Saw Logs		1   0   0
Soda ash		
Tallow		
Lard		
Fish oil		
Fish, salted or cured		
Oysters, lobsters and turtles		

## EXEMPTIONS.

Anatomical preparations.

Copies of the Holy Scriptures printed in the United Kingdom of Great Britain and Ireland.

Coin and Bullion.

Donations of Books or Clothing specially imported for the use of, or to be distributed gratuitously by any Charitable Society in the Province.

Horses and Carriages of Travellers, and horses, cattle and carriages and other vehicles when employed in carrying merchandize, together with the necessary harness and tackle, so long as the same are bona fide in use for that purpose.

Hides and Tallow and Offal of cattle and swine slaughtered in bond.

Manures of all kinds.

Models of Machinery and of other inventions and improvements in the Arts.

Old Junk or Oakum.

Packages containing dutiable articles.

Philosophical Apparatus, instruments, books, maps, statuary, busts and

and casts of marble, bronze, alabaster or plaster of Paris, paintings, drawings, engravings, etchings, specimens of sculptures, cabinets of coins, medals, gems, and all other collections of antiquities, provided the same be specially imported in good faith for the use of any Society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or for the use or by the order of any University, College, Academy, School, or Seminary of learning, within this Province.

Arms, or clothing, which any contractor or contractors, commissary or commissaries, shall import or bring into the Province for the use of Her Majesty's Army or Navy, or for the use of the Indian nations in this Province; provided the duty, otherwise payable, would be defrayed or borne by the Treasury of the United Kingdom or of this Province.

Specimens in Natural History, Mineralogy and Botany.

Seeds of all kinds, farming utensils and implements of husbandry, animals for the improvement of stock,--when specially imported in good faith by any Society incorporated or established for the encouragement of agriculture.

Trees, shrubs, plants, bulbs or roots.

Wearing apparel in actual use, and other personal effects not merchandize, implements and tools of trade of handicraftsmen in the occupation or employment of persons coming into the Province for the purpose of actually settling therein.

Also, cordage, pitch, tar, turpentine, leather, leather ware, Fishermen's clothing and hosiery, fishing craft utensils and instruments imported into the district of Gaspé, from the United Kingdom or Channel Islands, for the use of the fisheries carried on therein, subject to such regulations as the principal Officer of Customs at the Port of Quebec shall make, and which he is hereby empowered to establish for the purposes of ascertaining that such articles are bona fide intended to be applied for the use of such fisheries.

All Maize or Indian Corn, shall be computed at 430 lbs. per Quarter, for the purposes of this Act.<sup>12</sup>

MR. ROBINSON moved that the House should concur in the amendments made the previous evening to the Customs Bill.<sup>13</sup>

(321)

Ordered, That the question of concurrence be now separately put upon each of the said resolutions.

And the first of the said resolutions being again read, and the question of concurrence being put thereon, it was agreed to by the House.

The second of the said resolutions being again read,

*The Honourable Mr. Baldwin moved, seconded by Mr. Price, that the words "if imported otherwise than by sea," and the words "when imported by sea, five per centum ad valorem," under the head of Liquids, in the Schedule, and the similar words under the several heads of Candles and Leather Manufactures, be struck out.*

MR. BALDWIN objected to the differential duties which formed part of that resolution. -It appeared to him that in levying such duties the House was setting itself up to direct the effect which the financial measures of the country should have upon the manufactures of the mother country. That was no part of the duty of the House, but one, which, as it had been well urged the night before, belonged to the Imperial Parliament. That Legislature had provided such rules as it conceived to be important, as far as the interests of the mother country were concerned; and all the people here have to do, is to watch that those rules are observed. He would only, at present, take up one branch of the subject; and in doing so, he begged to say that he spoke with much diffidence, because he had not paid so much attention to the subject as, perhaps, he ought to have done.<sup>14</sup> OR He was however now prepared to argue the question upon other and even stronger grounds. He referred to the interest of the Canadian consumers of the constituents of the hon. members<sup>15</sup>, to the duties on men's boots and shoes. The result of some investigations which he had made since last evening, led him to believe, that the result of the differential duties levied on that item, would not ... ((only)) give a preference to the manufactures of the Mother Country as between her and Foreign Countries, but to favor one class of ... House would thus offer advantages to the<sup>16</sup> manufacturers of the Eastern States of the Union over those of the States bordering on our Lakes. He had been told that freights from Boston to Montreal were very low owing to vessels frequently coming in ballast and yet by the present proposition goods from Boston would pay a less duty coming by sea than those coming from Rochester or Buffalo.<sup>17</sup> He thought that no sound principle existed by which such a course could be justified; and he had been informed besides, that it would prove a ruinous system to the people of this country. He found that the great mass of vessels which arrived in the St. Lawrence from the United States, came for Lumber; and so anxious were they to have an outward cargo, that he understood the freight of a barrel bulk from New York to Quebec was frequently no more than 9d., which would make little, in fact no increase of cost upon such articles as those in question.<sup>18</sup> As to the United Kingdom it was not our duty said the hon. member to protect British manufacturers. That would be done by the Imperial Legislature. It had been done already. Those very articles were subject to 7 percent duty when brought from the United Kingdom. That was a protective duty in favour of British manufactures which was thought sufficient by the Imperial Parliament, and were we to tax our constituents to place a further protection on those manufacturers than the Imperial Parliament and the British manufacturers themselves asked?<sup>19</sup> Sufficient care had not been taken of the interest of the consumer; it was all very well to afford a certain amount of protection,



but the principal object of duties ought always to be revenue, and he thought it wrong to set up artificial restrictions for the advantage of particular parties, which must hereafter lead to trouble and difficulty.<sup>20</sup>

MR. MERRITT regretted the course taken by the hon. and learned member for the 4th Riding of York believing it to be impolitic and injurious to the interests of the Country. He was in favour of discriminating duties - he wanted to control the trade.<sup>21</sup>

MR. MOFFATT was not in favour of dicriminating duties but he would support the present proposition considering that the duties were not differential. Still he admitted that practically the high duty would fall on United States products. The people of that country had the St. Lawrence open to them if they chose to avail themselves of it on the same terms as the people of England but if they chose to bring in their products by inland navigation they should pay higher.<sup>22</sup>

MR. ((HENRY)) SMITH, of Frontenac, reminded hon. gentlemen that no foreign leather manufactures are brought into the Province by the Port of Quebec, but almost altogether by the inland towns on the Lake shores; and the object of the bill was to protect our poor manufacturers in the small towns and country villages, from too large an importation of the foreign article. If this proposed amendment should pass, it was a virtual repeal of the proposed tariff,<sup>23</sup> tea also would be admitted on the same terms by the St. Lawrence and the United States<sup>24</sup>, and the whole bill would be in danger.<sup>25</sup>

DR. DUNLOP would be most happy to vote with Mr. Merritt for taking off the duties on British goods, the moment the canals are ready to pay our debts. He will be delighted up to the nose, when that day arrives, but he is an old man now, and fears very much that he will never see it; if it were possible he should like to see the duty taken off all goods, both British and Foreign. Free trade was his desire, for we would then reach the great object of statesmen, a revenue without taxation. If money must be raised, then of course you must tax raw material, but if it is absolutely required for the purposes of Government then do not put any tax on raw goods. He would not put a half-penny a pound on the raw cotton consumed in Mr. Moffatt's cotton mill, because we should endeavor as much as possible to encourage home manufactures (hear) and thus raise up a market at our own door for the consumption of our agricultural produce. (Hear, hear.) A pound of cotton arrives at Liverpool from New Orleans, and at the highest rate, costs 2s. 8d. It is manufactured into a web of muslin, which sells for £27. What is the cause of the difference? The difference is paid in the shape of wages; and if by the imposition of a duty you prevented one web of the muslin from being manufactured, you would do the people of England a great wrong by keeping £27 out of their pockets - (hear, hear.) No doubt he would put on indiscriminating duties, and make those pay who do



not wish to take our produce in return for theirs. And allow Britain to send her manufactures here, with a very slight duty, for she had taken our produce at a mere nominal duty; she has done more, she now admits it free, and we should endeavor to make some return.<sup>26</sup>

(321)

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

(322)

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Caucher, Chabot, Desautier, DeWitt, LaFontaine, Laterrière, Laurin, LeMoine, Méthot, Munin, Nelson, Powell, Price, Roblin, Small, Taché, and Thomson--(22.)

NAYS.

Brooks, Chalmers, Chauveau, Christie, Colville, Currings, Daly, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Gowan, Greig, Guillet, Hall, Jessup, Johnston, Lacoste, Lantier, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonnell of STORMONT, Merritt, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Watts, Webster, Williams, and Woods--(44.)

So it passed in the negative.

Mr. Watts moved, seconded by Mr. Lantier, that the item "Oxen and Bulls and Steers," in the Schedule, under the head of "Animals," be now recommit-  
ted to a Committee of the whole House, with the view of putting an additional duty of five shillings to the proposed rate of one pound ten shillings.

MR. AYLWIN took this opportunity to comment in severe terms upon the manner in which Ministers conducted the business of the country. He held it to be contrary to British practice for Ministers to allow greater duties than those they had proposed to be substituted in the Tariff. A similar attempt was made when he held office under the late Administration, but it had resisted it; and had higher duties been forced upon them, they would have felt it their duty to resign. And he concluded that Ministers, in allowing themselves to be placed in a minority on this occasion, ought to do so. (Laughter.)<sup>27</sup>

MR. WATTS said, he was sorry that Mr. Aylwin had taken any part of the debate upon the previous evening and attempted to make the matter a party question. By doing so, he had done the farmers much injury for he had induced many Members to vote with Ministers, who would otherwise have advocated higher duties. He deprecated attempts of that kind, and he would tell that Hon. Gentleman that Ministers would be no more justified in

resigning their offices, than the Members upon the Ministerial side would be justified in deserting them, upon such an absurd plea. (Cheers.)<sup>28</sup>

MR. MOFFATT considered that Ministers had not done right in allowing higher duties to be levied than they proposed. He agreed with the Member for Quebec that it was a departure from Parliamentary practice.<sup>29</sup>

MR. SHERWOOD justified the course taken by the administration. There were hundreds of British precedents for it. Upon one occasion when the Ministers of the Crown asked for a grant of fifteen millions of money, the House of Commons voted twenty millions.<sup>30</sup>

(322)

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Bertrand, Cauchon, Chabot, Chauveau, Desautier, DeWitt, Drummond, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, LeMoine, Leslie, Macdonell of STORMONT, Méthot, Morin, Nelson, Price, Roblin, Small, Smith of WENTWORTH, and Watts--(25.)

NAYS.

Aylwin, Baldwin, Brooks, Chalmers, Christie, Colville, Cummings, Daly, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Gowan, Greive, Hall, Jessup, Johnston, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, Merritt, Meyers, Moffatt, Murney, Papineau, Powell, Petrie, Price, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, Williams, and Woods--(42.)

So it passed in the negative.

Mr. Thompson moved, seconded by Mr. Powell, that the words "when imported by sea," under the head "Liquids," in the Schedule, be struck out, and the following substituted, "when imported from Great Britain or her Colonies."

The question having been put on the said motion, a division ensued, and it passed in the negative.

On motion of the Honourable Mr. Robinson, seconded by Mr. Prince,

Ordered, That the words "imported otherwise than by sea," and "when imported by sea, five per cent. ad valorem," be expunged, where applied to Leather Manufactures.

Mr. Lantier moved, seconded by Mr. Chauveau, that the item "Pine, white, and in proportion for any smaller quantity thereof," in the Schedule, under the head "Wood," be now recommitted to a Committee of the whole House, with the view of striking out, "one pound five shillings," and substituting "one pound fifteen shillings," in lieu thereof.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Chauveau, Drummond, Lantier, and Thompson--(4.)

NAYS.

Armstrong, Berthelot, Brooks, Cauchon, Chalmers, Christie, Colville, Cummings, Daly, DeWitt, Dickson, Attorney General Draper, Dunlop, Emmetinger, Gowan, Greive, Hall, Jessup, Jobin, Johnston, LaFortaine, Laterrière, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, Méthot, Meyers, Moffatt, Powell, Petrie, Price, Prince, Robinson, Roblin, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Webster, Williams and Woods--(47.)

So it passed in the negative.

Mr. Lantier moved, seconded by Mr. Chauveau, that the item "Deals, Pine," in the Schedule under the head "Wood," be now recommitted to a Committee of the whole House, with the view of striking out "fifteen shillings," and substituting "twenty shillings" in lieu thereof."

The question having been put on the said motion, a division ensued, and it passed in the negative.

Mr. Lantier moved, seconded by Mr. Chauveau, that the item "plank boards, and all kinds of sawed lumber not therein charged with duty" in the Schedule under the head "Wood," be now recommitted to a Committee of the whole House, with the view of striking out "seven shillings and sixpence," and substituting "twelve shillings and sixpence" in lieu thereof.

The question having been put on the said motion, a division ensued, and it passed in the negative.

The question being then put on the second Resolution as amended, it was agreed to by the House, and

Resolved, That the House doth concur with the Committee in the said Resolution.

Resolved, That the said Resolution be referred to a Select Committee, composed of the Honourable Mr. Robinson, the Honourable Mr. Attorney General Smith, and the Honourable Mr. Daly, to bring in a Bill in pursuance thereof.

Small Debts.

The Order of the Day for the House in Committee on the Bill to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of small debts, and to make other provision therefor," being read,

The House accordingly resolved itself into the said Committee.

Mr. Woods took the chair of the Committee,

((There was)) a good deal of technical discussion.<sup>31</sup>

(322)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Woods reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then on motion of Mr. Gowan,

The House adjourned.<sup>32</sup>



APPENDIX, 4 MARCH 1845.

((WITHDRAWN MOTION: FOR COMMITTEE TO INQUIRE INTO BOARD OF WORKS.))<sup>33</sup>

DR. DUNLOP moved an address to his Excellency, praying him to appoint a Commission to enquire into all affairs connected with the Board of Works<sup>34</sup>, since its formation<sup>35</sup>.

MR. DRAPER opposed the motion, on account of the great extent of the enquiry demanded. When the sums of money laid out were considered, and the number of contracts, and the persons disappointed by those contracts; and when it is known, that the board reserved to itself the right of deciding on all questions relative to disputes between the Board and the Contractors (sic), it was not wonderful that there should be much discontent and many complaints. In all cases in which loss occurred by the contracts taken, these complaints would always arise. He had no desire, and he believed he spoke the sentiments of the Chairman of the Board, when he expressed his willingness for the fullest enquiry; but every one must feel when such an extraordinary Commission was asked for, that something wrong has been established to require such an enquiry. Now a wise investigation of this sort ought to have its foundation on some enquiry already made; and it would be desirable to have a report from a Committee to show that it had not had the time and opportunity to make so full an enquiry as ought to be instituted.<sup>36</sup>

DR. DUNLOP said he would withdraw his motion for the present, and would leave it as a notice till he could bring forward some specific accusations<sup>37</sup> ((as)) evidence of the necessity of the inquiry.<sup>38</sup>

MESSRS. LAFONTAINE, AYLWIN, and other members of the opposition concurred in the course taken by ministers.<sup>39</sup>

MR. GOWAN said, although the House had been told, that nothing could be more desired by the one gentleman who composed the Board of Works than enquiry, yet he took no steps to arrive at it. As to the dissatisfaction which prevailed, he could tell a method of satisfying every man as to the justice of the administration of the Board of Works. What was there to prevent the name of the parties and their securities from being marked outside the tender, and then the Board might reject those whom it was undesirable to employ. - Then there could be no suspicion of favorites coming in after the tenders were opened, and the prices offered, known. There was a committee of enquiry sitting at the present moment, & that committee had been obliged to threaten certain parties before it could obtain certain papers which it required. And yet it was said that the Board wished for enquiry. Now, when he (Mr. Gowan) had asked for enquiry before, how was he met? He was opposed by one of the members of the Government.<sup>40</sup>

The Solicitor General ((MR. HENRY SHERWOOD)) (West) said, that when the hon. member for Leeds had said that a member of the Government had opposed his motion for an enquiry into the affairs of the Board of Works, he ought to have explained the manner in which that opposition had been given; he (the Solicitor General) had opposed that motion merely because the Board of Works were about to present a report which it appeared desirable to wait for before the House took any steps for enquiring farther. As to the charge which the hon. member had made, of documents being withheld, the facts were these: - The documents had been sent for without the sanction of the Government, and it became a question, whether they should be given up without the consent of the Ministry. He (the Solicitor General) was decidedly opposed to the principle that the offices of the Government should be ransacked at the pleasure of a Committee of that House, and he was opposed to it because he was sure that no man could carry on the Government of the Province if that principle were supported. As to the enquiry now demanded, he thought with the hon. member for London, that its object was too extensive, and that it would be too costly for the House to undertake it.<sup>41</sup>

MR. ((GEORGE)) SHERWOOD, of Brockville, rose to explain the circumstances connected with the refusal of the Board of Works to produce the documents required by the Committee appointed by the House to enquire into the complaint of Reade and Shepherd. He (Mr. Sherwood,) had issued a summons to the Secretary of the Board, directing him to produce the papers in question, and he thought he had the right to do so, because it was no more than the Division Court in this City would have done, had it required the evidence afforded by these documents in any case under its notice. In accordance with that summons, the Secretary had attended before the Committee, and had stated that he could not obtain the authority of the Board for his compliance with the terms of the summons. Upon this he (Mr. Sherwood,) applied to the hon. Attorney General, and it was only justice to that gentleman to say, that he had lost no time in looking into the matter, and had at once directed the information which was sought for, to be afforded. He would only add, that he thought a great deal of the trouble in that case of Reade and Shepherd would have been avoided, if the arbitration which was agreed upon between the parties so long ago as the time of Lord Sydenham had been carried into effect. He understood the reason it had not been acted upon, arose from the numerous engagements of the President of the Board of Works; who was one of the arbitrators, and had, in consequence, been prevented from giving the necessary attention to the subject.<sup>42</sup>

FOOTNOTES - 4 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 6 March 1845, copied by KINGSTON NEWS, 13 March 1845, BRITISH COLONIST, 14 March 1845, CHATHAM GLEANER, 18 March 1845, BROCKVILLE RECORDER, 13 March 1845, in identical accounts, except that the BROCKVILLE RECORDER was abbreviated; MONTREAL TRANSCRIPT, 6 March 1845; PILOT, 6 March 1845; LA MINERVE, 10 March 1845; and BRITISH COLONIST, 11 March 1845. BRITISH WHIG, 11 March 1845, also carried an account which it mistakenly attributed to the MONTREAL GAZETTE, though parts are identical. When selections were chosen from the identical accounts in the MONTREAL GAZETTE, KINGSTON NEWS, BRITISH COLONIST, CHATHAM GLEANER, and BROCKVILLE RECORDER, the CHATHAM GLEANER was reproduced as it was the most legible of the sources.
2. CHATHAM GLEANER, 18 March 1845.
3. BRITISH WHIG, 11 March 1845.
4. CHATHAM GLEANER, 18 March 1845.
5. MONTREAL TRANSCRIPT, 6 March 1845.
6. CHATHAM GLEANER, 18 March 1845.
7. IBID.
8. BRITISH WHIG, 11 March 1845.
9. MONTREAL TRANSCRIPT, 6 March 1845.
10. CHATHAM GLEANER, 18 March 1845.
11. BRITISH WHIG, 11 March 1845.
12. The debate on this matter was reported by: CHATHAM GLEANER, 18 March 1845, and the BRITISH COLONIST, 14 March 1845, in identical accounts; BRITISH COLONIST, 11 March 1845, whose account was copied from the MONTREAL TRANSCRIPT, 5 March 1845; PILOT, 6 March 1845; MONTREAL GAZETTE, 6 March 1845, copied by KINGSTON NEWS, 13 March 1845; and LA MINERVE, 6 March 1845. The BRITISH WHIG, 11 March 1845, also contained an account which it mistakenly attributed to the MONTREAL GAZETTE. A commentary was contained in the PILOT, 6 March 1845.
13. MONTREAL GAZETTE, 6 March 1845.
14. BRITISH WHIG, 11 March 1845.
15. PILOT, 6 March 1845.
16. BRITISH WHIG, 11 March 1845. The ellipsis here represents a line which is illegible in the paper.
17. PILOT, 6 March 1845.
18. BRITISH WHIG, 11 March 1845.
19. PILOT, 6 March 1845.
20. BRITISH WHIG, 11 March 1845.
21. PILOT, 6 March 1845.
22. IBID.
23. BRITISH WHIG, 11 March 1845.
24. PILOT, 6 March 1845.
25. BRITISH WHIG, 11 March 1845.
26. IBID.
27. MONTREAL GAZETTE, 6 March 1845.
28. IBID.
29. IBID.
30. IBID.

31. IBID.
32. The MONTREAL GAZETTE, 6 March 1845, reported that the adjournment was at 2 a.m.
33. The debate on this matter was reported by: MONTREAL GAZETTE, 6 March 1845, copied by KINGSTON NEWS, 13 March 1845, and the CHATHAM GLEANER, 18 March 1845, in identical accounts; MONTREAL TRANSCRIPT, 5 March 1845, whose account was copied by the BRITISH COLONIST, 11 March 1845. The BRITISH WHIG, 11 March 1845, also contains an account which it mistakenly attributed to the MONTREAL GAZETTE. When selections were taken from the identical accounts in the MONTREAL GAZETTE and the CHATHAM GLEANER, the CHATHAM GLEANER was reproduced because the MONTREAL GAZETTE is nearly illegible.
34. BRITISH WHIG, 11 March 1845.
35. CHATHAM GLEANER, 18 March 1845.
36. BRITISH WHIG, 11 March 1845.
37. IBID.
38. CHATHAM GLEANER, 18 March 1845.
39. IBID.
40. BRITISH WHIG, 11 March 1845.
41. IBID.
42. IBID.



WEDNESDAY, 5 MARCH 1845.

(323)

Petitions  
brought up.

THE following Petitions were severally brought  
up and laid on the table:--

By Mr. Lantier, the Petition of Gabriel Marchand of St. Jean,  
(relating to the election of Ralph Taylor, Esquire.)

By Mr. Foster, the Petition of the Reverend Joseph Scott and others,  
the ministers and members of the Church of England, in the townships of  
Brome, Sutton, and Stukely.

By Mr. Woods, the Petition of the Municipal Council of the Western  
district, (relating to Distillers and Brewers.)

By the Honourable Mr. Solicitor General Sherwood, the Petition of  
Robert Stanton, Esquire, and others, members of the United Church of  
England and Ireland, residing in the city of Toronto.

By the Honourable Mr. Moffatt, the Petition of the Reverend John  
Bethune and others, of the congregation of Christ Church, Montreal.

By Mr. Chauveau, the Petition of Flavien Vallerand, of the city of  
Montreal.

Petitions read.

Pursuant to the Order of the Day, the follow-  
ing Petitions were read:--

Of Dudley Kennison and others, of Shefford, in the district of  
Montreal, praying that no action may be taken with respect to the  
charters of King's College, or McGill College, which shall not include  
all other chartered institutions of learning in the Province.

Of William B. Jarvis, Esquire, Sheriff of the Home district, praying  
that means may be taken to restore to commuted Pensioners the Pensions  
commuted by them.

Of Edward G. O'Brien, and others, members of the United Church of  
England and Ireland, in the township of Adelaide, in the district of  
London; of Joseph Seabrook and others, members of the United Church of  
England and Ireland, in the township of Carradoc, in the district of  
London; and of John W. Kerr, and others, members of the Church of  
England and Ireland, in Bayham and other townships, praying for the  
repeal of the Common School Act, and the adoption of some system under  
which religious instruction may be provided.

Of Richard Jemmings and others, Boot and Shoemakers, of the town of  
London, in the district of London; praying that they may be protected

*in the manufacture of the said articles.*

*Of William Begg and others, Presbyterians of the town of London, praying for Legislative enactments, the better to promote the mutual peace and prosperity of the Presbyterian Congregations of Canada.*

*Of Robert Ross and others, of Frampton and other townships, in the district of Quebec, praying that the Bill to provide for Elementary Instruction in Lower Canada, or any other Bill imposing a direct tax, may not pass into a law.*

*Of Thomas Morden and others, of the township of West Flamborough, praying that the Clergy Reserve Lands may not be divided amongst the different denominations, but that they may be disposed of in accordance with the existing law.*

*Of John Girdwood, in behalf of certain Members of the Baptist denomination, assembled at a meeting at Barnston Corner, praying that no Act may be passed, providing for the establishment of Common Schools on sectarian or exclusive principles.*

*Of John Girdwood, in behalf of certain Members of the Baptist denomination, assembled at a meeting at Barnston Corner, praying that no change may be made in the present disposition of the Clergy Reserves, unless to secure the accomplishment of the designs of the Imperial Legislature.*

*Of James L. Chrysler and others, of the township of Fynch, in the county of Stormont, praying that a Macadamized or planked road, may be made between Bytown and the head of the St. Lawrence Canal, or that a Bill be passed to incorporate a company for that purpose.*

*Of John Montgomery and others, of the township of Roxborough, in the Eastern district, praying for a grant to enable them to open a road through the said township.*

*Of Adam Johnston and others, of the town and township of Cornwall, praying for a certain grant to enable them to plank or Macadamize the road leading from the said town into the township of Roxborough.*

*Of the Reverend E. Whitwell and others, of the parish of St. Armand, West, praying that no action may be taken with regard to the Charters of King's College and McGill College, which shall not include all other chartered institutions of learning in the Province.*

*Of the Reverend E. Whitwell and others, members of the Church of England, in the parish of St. Armand, West; of the Reverend R. H. Bourne and others, the Minister and members of the United Church of England*

and Ireland, in the township of Rawdon; of the Reverend L. Doolittle and others, members of the Church of England, in Sherbrooke and Lennoxville; and of the Reverend William Bond and others, members of the Church of England, in the parish of Lachine praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

Of J. H. Syder and others, of Yarmouth, in the district of London, praying that no alteration may be made in the present disposition of the Clergy Reserve Lands.

Of William Armstrong and others, of Eramosa, and other townships in the district of Wellington, praying that the management of the Clergy Reserves may not be referred to the Church of England, or any other religious body, but continue to be conducted by the Government as heretofore.

On motion of the Honourable Mr. Small, seconded by Mr. Macdonald of Glengarry,

Ordered, That this House do now adjourn for fifteen minutes.

The House adjourned accordingly.

4:30 O'Clock, P. M.

Pursuant to the Order of the Day, the following Petitions were also read:--

Of William C. Chase and others, of the district of Niagara, in Canada West, praying, that should it be found necessary to impose an Excise Duty upon Stills and Brewers, it may be done in such a manner as not to injure those interested in the trade, or to encourage illicit distillation or smuggling.

Of Benjamin Therien and others, of the counties of Drummond and Yamaska, praying for aid to complete the Road from Stanfold to Yamaska, and to improve certain bridges on that route.

(324)

Of the Reverend George S. J. Hill and others, members of the United Church of England and Ireland, in the mission of Chinguacousy, in the Gore of Toronto, and parts adjacent; and of the Reverend Alexander Sanson and others, members of the United Church of England and Ireland, in the township of York, in the diocese of Toronto, praying for an Address to Her Majesty, recommending the passing of an Act to assign to

the Church of England such proportion of the Clergy Reserve Lands, as shall correspond with her share of the funds arising from the same; and to authorize the Church Society of the diocese of Toronto, to propose a system for the future management of their portion of the said Lands.

Of Robert Lang and others, of Bytown, praying that the Bankrupt Act may be so amended, as to extend its provisions to those who may have become insolvent previous to its passing.

Of Laurent Tremblay and others, Pilots for the River St. Lawrence, in and below the harbour of Quebec, praying that no alteration may be made in the Laws by which they are at present regulated.

Of James Kerr and others, of the town of Kingston, praying that the Act incorporating the said town may be amended, by extending its limits, increasing the number of its Councillors, and providing for the payment into the Town Treasury of the amount collected in the said town for district purposes.

Of Cornelius H. Finlay, of Montreal, Contractor, praying for an investigation into certain complaints against the Board of Works.

Of James Hunter, M. D., of the township of Whitby, in the Home district, praying for an inquiry into certain alleged injustice and damages suffered by him at the hands of the Board of Works.

Of G. Vanfelson, Esquire, and others, members of the Quebec Bar Association, praying for the appointment of proper persons to report the decisions of the Courts of Justice, in the several districts of Lower Canada.

Of the Municipal Council, of the district of Gore, praying that the Common School Act be not repealed, but that it may be amended as formerly prayed for.

Of Richard Logan, of the village of Portsmouth, in the Midland district, praying for the payment of a certain amount yet due him for building the Light House at Presqu'Isle.

Of P. P. Demaray, of St. Jean, praying for the payment of his expenses as Clerk to the Commissioners appointed to inquire into the contested election of Missisquoi in 1831.

Of John Strickland, of the township of Whitby, in the Home district; and of Garret Molloy, of the township of Reach, in the Home district, praying for an inquiry into certain injustice and damages alleged against the Board of Works.



Petitions  
referred.

Ordered, That the Petition of P. P. Demaray, of St. Jean, be referred to the Standing Committee on contingencies.

P. P. Demaray.

Resolved, That the Petition of James Grant, of Martintown, in the county of Glengarry, be referred to a Select Committee, composed of Mr. Macdonald, of Glengarry, the Honourable Mr. Aylwin, Mr. Macdonell, of Dundas, Mr. Macdonald, of Cornwall, and Mr. Murney, to examine the contents thereof, and to report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

R. Ross  
and others.

Ordered, That the Petition of Robert Ross and others, of Frampton and other townships, in the district of Quebec, be referred to the Select Committee to which was referred the Bill to make better provision for Elementary Instruction in Lower Canada, and other references.

G. Vanfelson,  
Esquire, and  
others.

Resolved, That the Petition of G. Vanfelson, Esquire, and others, members of the Quebec Bar Association, be referred to a Select Committee, composed of Mr. Chabot, the Honourable Mr. Aylwin, the Honourable Mr. Morin, the Honourable Mr. LaFontaine, and Mr. Chauveau, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

O. Trudel,  
Esquire, and  
others.

Resolved, That the Petition of O. Trudel, Esquire, and others, of the seigniorie of Batiscau, be referred to a Select Committee, composed of Mr. Drummond, the Honourable Mr. Morin, the Honourable Mr. Aylwin, Mr. Guillet, and Mr. Méthot, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Officers and  
Clerks of  
the House.

Mr. Speaker laid before the House, Return to an Order of the House of the twenty-fourth February, 1845, respecting the Officers and Clerks in the employ of the House, which is as follows:--

STATEMENT shewing the several Officers and Clerks in the employ of the Legislative Assembly of the Province of Canada, in the receipt of Annual Salaries; the period when they first entered its service, and the Salaries which it is recommended should be allowed to each of them, with a view to render the amount fixed and permanent for the future; prepared in conformity with the Resolution of the House of the 24th February, 1845.

<i>Designation of Office.</i>	<i>Name of present Incumbent.</i>	<i>When he first entered.</i>	<i>Present rate of Salary.</i>	<i>Salary recommended in future.</i>
<i>Clerk</i>	<i>Wm. B. Lindsay</i>	<i>1808</i>	<i>600</i>	<i>700</i>
<i>Assistant Clerk</i>	<i>G. B. Faribault</i>	<i>1812</i>	<i>460</i>	<i>560</i>
<i>Chief Officer Clerk</i>	<i>Wm. P. Patrick</i>	<i>1818</i>	<i>350</i>	<i>425</i>
<i>Second Officer Clerk</i>	<i>Thomas Vaux</i>	<i>1829</i>	<i>225</i>	<i>250</i>
<i>Chief Clerk Committees</i>	<i>William Ross</i>	<i>1820</i>	<i>300</i>	<i>425</i>
<i>Assistant Clerk Committees</i>	<i>Alfred Patrick</i>	<i>1827</i>	<i>250</i>	<i>250</i>
<i>Assistant Clerk Committees</i>	<i>Alfred Todd</i>	<i>1833</i>	<i>200</i>	<i>250</i>
<i>Clerk French Journals</i>	<i>P. E. Gagnon</i>	<i>1815</i>	<i>225</i>	<i>250</i>
<i>Clerk English Journals</i>	<i>G. M. Muir</i>	<i>1831</i>	<i>225</i>	<i>250</i>
<i>English Translator and Law Clerk</i>	<i>G. W. Wicksteed</i>	<i>1828</i>	<i>350</i>	<i>425</i>
<i>Assistant English Translator</i>	<i>W. B. Lindsay, jr.</i>	<i>1841</i>	<i>200</i>	<i>200</i>
<i>French Translator</i>	<i>Henri Voyer</i>	<i>1832</i>	<i>250</i>	<i>275</i>
<i>Assistant French Translator</i>	<i>... ..</i>		<i>200</i>	<i>200</i>
<i>Assistant French Translator</i>	<i>... ..</i>		<i>200</i>	<i>200</i>
<i>Assistant French Translator</i>	<i>... ..</i>		<i>200</i>	<i>200</i>
<i>Junior Clerk</i>	<i>J. B. Moraud</i>	<i>1831</i>	<i>150</i>	<i>150</i>
<i>Junior Clerk</i>	<i>Thaddeus Patrick</i>	<i>1835</i>	<i>150</i>	<i>150</i>
<i>Junior Clerk</i>	<i>Henry Hartney</i>	<i>1839</i>	<i>15s.</i>	<i>150</i>
<i>Junior Clerk</i>	<i>King Barton</i>	<i>1842</i>	<i>"</i>	<i>125</i>
<i>Junior Clerk</i>	<i>W. H. LeMoine</i>	<i>1842</i>	<i>"</i>	<i>125</i>
<i>Librarian</i>	<i>William Winder</i>	<i>1836</i>	<i>200</i>	<i>250</i>
<i>Assistant Librarian</i>	<i>Alpheus Todd</i>	<i>1836</i>	<i>200</i>	<i>225</i>
<i>Sergeant-at-Arms</i>	<i>G. K. Chisholm</i>	<i>1841</i>	<i>150</i>	<i>200</i>
<i>Doorkeeper</i>	<i>Hugh M'Lellan</i>	<i>1833</i>	<i>66</i>	<i>75</i>
<i>Chief Messenger</i>	<i>A. L. Cardinal</i>	<i>1836</i>	<i>100</i>	<i>115</i>

*W. B. LINDSAY,*  
*Clerk Assembly.*

*Approved,*  
*ALLAN N. MACNAB,*  
*Speaker.*

(325)

Election Third  
Riding York.

Mr. Taché, from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House that the Committee met this day at 10 o'clock, but were unable to proceed to business, in consequence of the absence of Mr. Macdonell, of Dundas; they accordingly adjourned until ten o'clock, P. M., when they again met, but were unable to proceed to business from the absence of the Honourable Mr. Attorney General Smith and Mr. Scott; having made a further adjournment for fifteen minutes, they again met, when Mr. Scott being again absent, they adjourned until to-morrow morning at nine o'clock.

Ordered, That George Macdonell, Esquire, Member for Dundas, the Honourable Mr. Attorney General Smith, Member for Missisquoi, and William Henry Scott, Esquire, Member for Two Mountains, do severally attend in their places in this House to-morrow.

((This was)) in order that they may explain the reason of their absence from different Election Committees of which they are members.<sup>1</sup>

(325)

Duties of  
Customs.

The Honourable Mr. Robinson, from the Select Committee appointed to prepare and report a Bill, in conformity to the resolutions of this House of yesterday, on the subject of Duties of Customs, presented to the House a Bill for granting Provincial Duties of Customs; which was received and read for the first time, and ordered to be read a second time on Friday next.

Report on  
the Petitions ofM. F. Valois  
and others.Revd. A.  
Duransaux  
and others.G. Roy  
and others.H. Brunet  
and others.

Mr. Jobin, from the Select Committee to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; the Petition of the Reverend Antoine Duransaux and others, inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Burnet and others, of Ste. Anne, Point Claire, and other parishes, and other preferences, with power to report from time, presented to the House the first report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix L.L.)

Ordered, That the said Report be committed to a Committee of the whole House on Monday next.

Petition of  
H. Burritt  
and others.

Mr. Jessup, from the Select Committee to which was referred the Petition of Henry Burritt and others, inhabitants of the district of Johnstown, with power to report by Bill or otherwise, presented to the House a Bill to afford relief to owners of Mill Dams in Upper Canada, which was received and read for the first time, and ordered to be read a second time on Monday next.

Mill Dams,  
Upper Canada.

The Honourable Mr. Morin, from the Standing Committee on Private Bills, presented to the House the Fourteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

College of  
Regiopolis.

Your Committee have examined the Bill to authorize the Conveyance of certain Real Estate to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount; and have agreed to certain amendments, which they beg leave to submit to the consideration of Your Honourable House.

On motion of Mr. Cummings, seconded by Mr. Dickson,

Tax on Dogs.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to empower the District Councils of the Municipal districts, and Boards of Police of incorporated towns in Upper Canada, to impose a Tax on Dogs within their respective districts and towns, be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 2, Line 14.--After "same" insert the following clause:--

"And be it enacted, that for all the purposes of this Act, it shall be deemed and held sufficient proof of the ownership in any dog upon which a tax may be levied, if the said dog is known to the Assessor of any township or incorporated town aforesaid to frequent any dwelling or lodging house as a home, and the owner or occupier of such dwelling or lodging house to be held liable for the payment of the tax on any such dog, and in any action or suit for alleged injury or damage committed by such dog, the return of the assessor



designating such ownership, shall be deemed and held to be sufficient evidence of such ownership, and further that any person being generally or frequently attended or followed by any dog, shall be deemed and considered for all the purposes of this Act, as the owner thereof, and liable as such owner for the payment of such a tax, or for all injuries or damages committed by such dog."

And the said amendment being again read,

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by Mr. Cummings,

Ordered, That the following amendments be made to the said amendments:--

In the fifteenth line of the said amendment, expunge "sufficient," and insert "prima facie."

In the twentieth line of the said amendment expunge "the," and insert "prima facie."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the said amendments be engrossed.

College of  
Regiopolis.

Ordered, That the Bill to authorize the conveyance of certain Real Estates to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House on Monday next.

Small Debts.

The Order of the Day for receiving the Report of the Committee of the whole House on the Bill to amend an Act, passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province formerly Upper Canada, for the recovery of Small Debts," and to make other provision therefor, being read,

Mr. Thompson moved, seconded by Mr. Powell, that the said Report be not received, but that it be now recommitted to a Committee of the whole House, for the purpose of inserting, next after the fourth clause, the following clause, and to make other corresponding alterations:--

And be it enacted, that the said Division Court shall respectively have power, authority, and jurisdiction, to hold plea of all debts and contracts, when the subject matter of the demand

(326)

shall not exceed fifteen pounds currency, and the demand is ascertained by the signature of the Defendant, anything in the twentieth section of the said Act, or in any other part thereof, to the contrary notwithstanding: Provided always that nothing herein contained shall be construed to prevent any District Court from taking cognizance of any such case as aforesaid when the amount of the demand shall exceed ten pounds, and shall not exceed fifteen pounds.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Gowan, Johnston, Macdonell of STORMONT, Merrill, Powell, Roblin, Taché, and Thompson--(8.)

NAYS.

Aylwin, Baldwin, Berthelot, Bertrand, Chabot, Chalmers, Chauveau, Christie, Cummings, Daly, DeBleury, Desaunier, De Witt, Dickson, Attorney General Draper, Drummond, Duggan, Ermatinger, Foster, Hall, Jessup, John, Laterrière, Laurin, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Meyers, Moffatt, Morin, Petrie, Price, Prince, Riddell, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Attorney General Smith, and Webster--(44.)

So it passed in the negative, and the said Report was received accordingly.

Ordered, That the question of concurrence be now separately put upon each of the amendments to the said Bill.

And the first of the said amendments being again read,

Mr. Macdonald, of Cornwall, moved, seconded by Mr. Dickson, that the word "fill," in the said amendment, be struck out, and the words "hereafter be appointed," be inserted instead thereof.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Cauchon, Chabot, Chauveau, Dickson, Dunlop, Ermatinger, John, Lafontaine, Leslie, Macdonald of CORNWALL, Powell, Price, Prince, Riddell, Taché, Thompson, and Webster--(19.)

1935

NAYS.

Armstrong, Bertrand, Brooks, Chalmers, Christie, Cummings, Daly, DeBleury, DeWitt, Attorney General Draper, Drummond, Duggan, Guillet, Hall, Jessup, Johnston, Laurin, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Morin, Murney, Papineau, Petrie, Roblin, Seymour, and Solicitor General Sherwood--(27.)

*So it passed in the negative.*

*The question being then put on the said amendment, it was agreed to by the House.*

*And the remainder of the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to unanimously.*

Ordered, *That the said Bill as amended, be engrossed.*

Agricultural  
Societies,  
Upper Canada.

*The Order of the Day for the House in Committee, to take into consideration the expediency of granting an aid to Agricultural Societies in Upper Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Murney took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Murney reported, that the Committee had come to a Resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

Ordered, *That the Report be received to-morrow.*

Petition of  
J. Donegani.

*The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Petition of Joseph Donegani, of the city of Montreal, Merchant, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Riddell took the chair of the Committee,<sup>2</sup>*

*MR. AYLWIN ...stated the claims of the petitioner to the consideration of the House. The facts of the case are as follows: - The father*

of the petitioner, John Donegani, an Italian, and a native of Milan, emigrated into Lower Canada, with his family, 3 sons of whom the petitioner was one, and a daughter. He settled at Montreal, where he resided until the year 1802, and with the assistance of the petitioner acquired a considerable property. By his last will and testament, exercised at Montreal, on the 23rd of July, 1800, and a codicil subsequently made, he constituted his three sons residuary legatees, and left to his daughter, Therese Donegani, who had intermarried in Canada, the sum of £500. The testator died at Moltrazio, in Italy, about the year 1809; and the petitioner took possession of the property real and personal, and having paid to his sister the legacy devolving to her as her share of the estate, enjoyed the same uninterruptedly until the month of February, 1827, or 18 years, when an action was commenced against him, in the Court of King's Bench, in Montreal, by his nephews, J. A. Donegani, Joseph Donegani, and G. B. Donegani, the children of his sister, born in Lower Canada, and issue of the marriage of that sister Therese Donegani and her husband, both deceased. By this act the nephews, being grand children of the Testatrix claimed to the prejudice of the original devisee, the whole of the real estate he had inherited by virtue of the will of his father. - The claim of the Plaintiff, was founded upon an ancient and obsolete law of France, called Droit D'Aubaine, and set forth that the Petitioner being an alien born, and not naturalized to the Crown of Great Britain, could not inherit, or hold real estate; but that the same escheated to the Crown, and in default of its asserting its right, to the next male naturalized heirs. To this suit the Petitioner was cast, and by a Judgment of the Court, rendered on the 18th of June, 1821, the whole of the real estate held by him under the will and codicil of his father, together with all rents, issues and mesne profits thereof without limitation was awarded to his nephews, contrary to the intention of the Testator. - The Petitioner appealed from this decision to the Court of Appeals, which, on the 30th of April, 1832, affirmed the Judgment. The Petitioner then appealed to the King in Council, and was again thrown, and at length the Report of the Judicial Committee of the Privy Council recommending the affirmance of the two Judgments of the Canadian Courts, was confirmed by His Majesty, on the 17th of February, 1835. Prior to the first Judgment of the Court of King's Bench of Montreal having been given, the attention of the Provincial Legislature was drawn to the iniquity of the claim set up, and it passed an Act with a retrospective operation to confirm the Petitioner and all others so situated in the possession of their property. This Act, 1st Wm. IV, cap. 53, is entitled "An Act to secure to, and confer upon certain Inhabitants of this Province, the civil and political rights of natural born British subjects." It commences with a recital, that it is expedient to remove, by Law, doubts that may have arisen as to the civil rights and duties to real estate of some of the persons hereinafter mentioned, "viz., "all persons who have at any time received grants of land in this Province from the



Crown; and all persons who have held any public office in the Province, under the Great Seal of the Province, or under the Seal at Arms had Sign Manual of the Governor, Lieutenant-Governor, or person administering the Government of the Province, and all persons who have taken the oath of allegiance, or being of the persons who by the laws of this Province are allowed to affirm in civil cases, have made the affirmation of allegiance to His Majesty, or His Majesty's predecessors, before any person duly authorized to administer such oath or affirmation; and all persons who had their settled place of abode, in this Province before the year of our Lord 1823, and are still resident therein, shall be deemed, adjudged, and taken to be and so as respects their capacity at any time heretofore, to take, hold, possess, enjoy, claim recover, convey, devise, impart, or transmit any real estate in the Province of Lower Canada; or any right, title, privilege or appurtenance therein, or any interest therein, to have been natural-born subjects of His Majesty, to all merits, constructions, and purposes whatsoever, as if they, and every of them, had been born in His Majesty's United Kingdom of Great Britain and Ireland; and that the children, or more remote descendants of any person or persons of either of the foregoing descriptions, who may be dead shall be, and are hereby admitted to the same privileges which parents or ancestors, if living, could claim under this Act." This Act which passed on 31st of March, 1831, or three months prior to the first judgment rendered was reserved for the signification of the Royal pleasure. It was thus by an accident delayed, and being sent home, did not receive the Royal Assent until the 12th of April, 1832, which was signified by Proclamation in this colony on the 5th of June the same year. The Judicial Committee held that the fact of this act although passed prior to the first judgment, not having received the Royal Assent until a subsequent period, its provisions could not apply to his case, and they were compelled to render judgment, not upon the intention of this Statute, but upon the facts, evidence, and position of the petitioner, at the time the first judgment was given against him. The petitioner, after the return of the award of the Judicial Committee, applied again to the Court of King's Bench for redress, under the statute above quoted; but his proceedings which were in the nature of an audit a querela, were again unsuccessful. And thus by a defect in the power of the Courts of Lower Canada, the petitioner was deprived of redress, and although resident a sufficient length of time in the Province to have become naturalized, and having performed all that was required of him to be considered as, he was thus deprived of the rights of a British subject, and of the possession of a valuable property, expressly devised to him. Notwithstanding the will of the father - notwithstanding that he had paid to the children of his sister the £500 left to them - notwithstanding he had performed the service requisite to qualify him as a British born subject, had taken the oath of allegiance, notwithstanding that he was known to all to be one of the oldest citizens of Montreal, and had been nearly twenty years in undisturbed possession of the property left to him, the petitioner in consequence of the inadequacy of the

law, and an accidental frustration of the intention of the legislature, was liable to be turned off of the enjoyment of a property which was his by every principle of justice and equity. The prayer of the petitioner had been referred to a Committee of the House consisting of Messrs. Aylwin, Moffatt, Jobin, Attorney General Smith, Sol. Gen. Sherwood, Smith ((of)) Frontenac, and Johnston, who had reported favourably thereupon. It was now the intention of Mr. Aylwin to move to resolve "that it is expedient to quiet the titles to land of persons naturalized under the statute of Lower Canada, 1st Wm. IV, cap 53." If this resolution were carried he would then introduce a general measure thereupon, and upon the second reading of that Bill, counsel upon both sides could be heard at the Bar, and the House would be left free to decide upon the evidence deferred.<sup>3</sup>

DR. DUNLOP supported the resolution.<sup>4</sup>

MR. DRUMMOND opposed it as predicating an *ex post facto* law, and having for its object to deprive the nephews of the petitioner of a property absolutely vested in them, by repeated judgments. He also stated that although the case must be deemed one of great hardship, yet the petitioner had in the first place availed himself of a similar law to take possession of property left to his nephew in Italy, which they as aliens could not hold, and which he being an Italian born, claimed in virtue of his birth to the prejudice of the devisees, born in Canada.<sup>5</sup>

MR. BALDWIN could not see the necessity for any other act than the one which already existed, which went as far to quiet titles as it was possible to go. Any other act would merely repeat what had been already done, and would not give the remedy which the petitioner sought.<sup>6</sup>

The Attorney General ((MR. JAMES SMITH)) said there must be something in the case itself - some defect - which did not bring it within the existing law, and therefore no amendment of the law would be of any use.<sup>7</sup>

The Solicitor General ((MR. HENRY SHERWOOD)) thought that the proper course would have been to have brought in a Bill in accordance with the report of the special Committee, instead of bringing forward a resolution which might indirectly pledge the House as to the future course it should pursue. He considered that the House was called on to pass an ex post facto law to take from John Donegani property which he held by the judgment of law - and which had become vested in him by the natural operation of law<sup>8</sup>, and to place the petitioner in a position which the law had not placed him in.<sup>9</sup>

MR. AYLWIN deprecated any discussion on the question now, and had drawn up the resolution which he had submitted with that object. All he desired was that he might be allowed to introduce a bill on the

resolution pro forma, and that on the second reading counsel should be heard on both sides, and the house be put fairly in possession of the merits of the case.<sup>10</sup>

((There followed)) a great deal of discussion<sup>11</sup> .

(326)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Riddell reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, As the opinion of this Committee, that it is expedient to quiet the Title to Lands of persons naturalized under the Statute of Lower Canada, 1st William Fourth, chapter 53.

To quiet the  
Title of Lands.

Ordered, That the Honourable Mr. Aylwin have leave to bring in a Bill, to quiet the Title to Lands of persons naturalized under the Statute of Lower Canada, of the 1st William Fourth, chapter 53, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next.

Agriculture,  
Lower Canada.

The Order of the Day for the second reading of the Bill, to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Méthot took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Méthot reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Pères Oblats.

The Order of the Day for the House in Committee on the Bill to incorporate "Les Reverends Pères Oblats de l'Immaculée Conception de Marie," in the Province of Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Chabot took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

(327)

And Mr. Chabot reported, that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Quebec Forwarding Company.

The Order of the Day for the second reading of the Bill to incorporate the Quebec Forwarding Company, being read,

The Honourable Mr. Aylwin moved, seconded by Mr. Chabot,

That the said Bill be now read a second time.<sup>12</sup>

MR. AYLWIN ... urg((ed)) the threefold liability assumed by the proprietors of stock, and the security they gave for damage done or loss sustained, upon the body of the boat or steamboat; securities greater than those given by even common carriers.<sup>13</sup>

The Bill was opposed by ... ((MR.)) BALDWIN ... upon the grounds that it was not expedient to grant an act of incorporation, with anything short of individual liability, to the extent of the property of each proprietor, to any number of individuals, to carry on a business, which could be, and was carried on by single individuals. It was establishing a bad precedent, and would eventually end in ruin and misery if persevered in. Moreover such corporations possessed the character of monopolies, to the detriment of private enterprise, with no corresponding advantage to the public.<sup>14</sup>

M. LE PROCUREUR GENERAL DRAPER objecta au bill sur le même principe.<sup>15</sup>

MR. AYLWIN thought there could be no monopoly as other Forwarding Companies in Montreal, Kingston &c. might also be incorporated if they applied for it.<sup>16</sup>



MR. BALDWIN said that the reasons given by his hon. and learned friend only convinced him still more of the inexpediency of sanctioning such propositions.<sup>17</sup>

(327)

*The question having been put on the said motion, a division ensued, and it passed in the negative.*<sup>18</sup>

Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they take the precedence of the Orders already fixed for that day.

Then, on motion of Mr. Chabot, seconded by the Honourable Mr. LaFontaine,

*The House adjourned.*<sup>19</sup>

APPENDIX, 5 MARCH 1845.

((WITHDRAWN PETITION COMPLAINING ABOUT BOARD OF WORKS.))<sup>20</sup>

A petition from Upper Canada, containing some charges against the Board of Works, ((was presented))<sup>21</sup> .

A long discussion took place<sup>22</sup> .

((The petition was withdrawn.))<sup>23</sup>

FOOTNOTES - 5 MARCH 1845.

1. MONTREAL GAZETTE, 8 March 1845.
2. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 6 March 1845, and MONTREAL GAZETTE, 8 March 1845, in accounts which contain some identical speeches, and some which are completely dissimilar; PILOT, 8 March 1845, which noted it and whose account was copied by the BROCKVILLE RECORDER, 13 March 1845; and LA MINERVE, 6, 10 March 1845. The account in MONTREAL GAZETTE, 8 March 1845, was translated by LA MINERVE, 10 March 1845.
3. MONTREAL GAZETTE, 8 March 1845.
4. IBID.
5. IBID.
6. MONTREAL TRANSCRIPT, 6 March 1845.
7. IBID.
8. IBID.
9. MONTREAL GAZETTE, 8 March 1845.
10. IBID.
11. IBID.
12. The debate on this matter was reported by: LA MINERVE, 10 March 1845; MONTREAL GAZETTE, 8 March 1845, and KINGSTON NEWS, 13 March 1845, in identical accounts; LE JOURNAL DE QUEBEC, 11 March 1845; and PILOT, 8 March 1845, whose account was copied by the BROCKVILLE RECORDER, 13 March 1845.
13. MONTREAL GAZETTE, 8 March 1845.
14. IBID.
15. LA MINERVE, 10 March 1845.
16. PILOT, 8 March 1845.
17. IBID.
18. LA MINERVE, MONTREAL GAZETTE, and LE JOURNAL DE QUEBEC all commented on the fact that Moffatt retired below the Bar to avoid voting on this matter.
19. The PILOT, 8 March 1845, commented ironically: "The House adjourned early that is to say at midnight."
20. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 6 March 1845, CHATHAM GLEANER, 18 March 1845, MONTREAL GAZETTE, 8 March 1845, and KINGSTON NEWS, 13 March 1845, in identical accounts; and LA MINERVE, 6 March 1845.
21. MONTREAL TRANSCRIPT, 6 March 1845.
22. IBID.
23. IBID.

THURSDAY, 6 MARCH 1845.

(327)

Election, Third  
Riding York.

ACCORDING to Order, George Macdonell, Esquire, Member for Dundas, and the Honourable Mr. Attorney General Smith, Member for Missisquoi, who were absent yesterday from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, severally attended in their places in this House.

Mr. Macdonell, of Dundas, rose in his place, and stated his reasons for not being present at the meeting of the said Committee, and verified the same upon oath.

The Honourable Mr. Attorney General Smith also rose in his place, and stated his reasons for not being present at the meeting of the said Committee, and verified the same upon oath.

On motion of the Honourable Mr. Aylwin, seconded by Mr. Christie,

Resolved, That the Honourable Mr. Attorney General Smith, having stated his reasons for not being present at the meeting of the Select Committee, for the trial of the contested election for the Third Riding of the county of York, and having verified the same upon oath, be now excused for such non-attendance.

On motion of the Honourable Mr. Attorney General Draper, seconded by Mr. Macdonald, of Cornwall,

Resolved, That Mr. Macdonell, of Dundas, having stated his reasons for not being present at the meeting of the Select Committee, for the trial of the contested election for the Third Riding of York, and having verified the same upon oath, be now excused from such non-attendance.

Election, Third  
Riding York.

Ordered, That the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, have leave to adjourn until Monday next, at 10 o'clock, A. M.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By the Honourable Mr. Daly, the Petition of the Reverend John Flanagan and others, members of the Church of England, in the township



of Leeds, in the county of Megantic.

By the Honourable Mr. Baldwin, the Petition of Kenneth Cameron and others, of the township of Thorah, in the Home district.

By the Honourable Mr. Robinson, the Petition of George M'Manus and others, of Mono and other townships, in the district of Simcoe.

By Mr. Dunlop, the Petition of Joseph Gely, of the parish of St. Joseph, Point Levy.

By Mr. DeWitt, the Petition of James Reid and others, of the township of Hinchinbrooke, in the county of Beauharnois.

By Mr. Macdonald, of Kingston, the Petition of John Kirkpatrick, Esquire, and others, members of the Bar, in the Midland district.

On motion of Mr. Cummings, seconded by Mr. Dickson,

Tax on Dogs.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to empower the district Councils of Municipal districts, and Boards of Police of incorporated towns in Upper Canada, to impose a Tax on Dogs within their respective districts and towns," as amended, be now read for the third time.

The said amendment was accordingly read for the third time.

Resolved, That the said amendment as amended, do pass.

Ordered, That Mr. Cummings do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment, with several amendments, to which they desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the Reverend R. G. Plees and others, members of the church of England, in the mission of Russeltown Flats, and parts adjacent, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

Of John Sills and others, occupants of Clergy Reserves in Sophiasburg, in the district of Prince Edward, praying that no assignment of the Clergy Reserves may be made, but that they may be disposed of in accordance with the Imperial Act 3 and 4 Victoria, chapter 78.

Of Oliver Odell, and others, of the seigniorship of Lacolle, in the county of Huntingdon, praying that the law regulating the practice of Physic and Surgery, may be so amended, as to enable Physicians and

(328)

Surgeons from the United States, to practice, to a limited extent, along the frontier of Lower Canada.

Of Leonard Pine, praying that the 24th clause of the Customs Bill may be expunged, or that he may be indemnified for the loss that will result to him by its operation.

Of J. K. Gooding, and T. B. Woodcliff, in behalf of a meeting of the inhabitants of the district of Huron, praying for the construction of a Railroad communicating between Goderich, on Lake Huron, and Hamilton, on Lake Ontario.

Of the Municipal Council of the district of Niagara, praying that no change may be made in the existing School Act, except as regards the 56th Section, which relates to the proportion of funds allotted to dissenting schools.

Of Alexander M'Leod, of the township of Stamford, in the district of Niagara, praying to be indemnified for the loss he has suffered, in consequence of his imprisonment by the authorities of the United States in 1840, on a charge of having assisted in the destruction of the Steamer Caroline.

Testatum writs  
of Capias.

Mr. Sherwood, of Brockville, from the Select Committee to which was referred the Petition of Andrew N. Buell and others, Practitioners of the Law, residing out of the city of Toronto, with power to report by Bill or otherwise, presented to the House a Bill to allow the issuing of Testatum writs of Capias ad Respondendum in the several districts in Upper Canada, and for other purposes therein mentioned; which was received and read for the first time, and ordered to be read a second time on Wednesday next.

Public  
Accounts.

Mr. Christie, from the Special Committee to which was referred the Public Accounts of 1843, laid before this House on Friday, the 13th of December, 1844, with an instruction, and other references, with power to report from time to time, presented to the House the first Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix M.M.)

Ordered, That two hundred and fifty copies of the said Report be printed in each of the English and French languages, for the use of the

Members of this House.

Mr. Christie, from the Special Committee to which were referred the Public Accounts of 1843, laid before this House the 13th of December, 1844, and the Bill to provide the manner in which the Public Accounts shall be annually laid before the Legislature, with an instruction, and other references, with power to report from time to time, presented to this House the second Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee have examined the Bill referred to them, for prescribing the manner in which the Public Accounts shall be annually laid before the Legislature, and have agreed to certain amendments, which they beg to report for the consideration of Your Honourable House.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

District Courts  
Upper Canada.

The Legislative Council have passed the Bill, intituled, "An Act to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of District Courts, in the several districts of that part of this Province formerly Upper Canada," without any amendment.

Also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly.

Roman Catholic  
Bishops.

"An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese."

Niagara and  
Ten Mile  
Creek Plank  
Road.

"An Act to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a Plank road from a certain place in Niagara, to the Ten Mile Creek in Grantham."

Courts of  
Assize, Upper  
Canada.

"An Act to make further regulation for holding the Courts of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery, in Upper Canada, and to provide for the trial of Prisoners under certain circumstances."

And also,

LEGISLATIVE COUNCIL,  
Tuesday, 4th March, 1845.

Harris'  
Divorce.

Ordered, That a Message be sent to the Legislative Assembly by one of the Masters in Chancery to communicate to that House the Minutes of Evidence taken before the Legislative Council, on the Bill intituled, "An Act to dissolve the Marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned," as requested by their Message of this day, and to desire that the said Minutes of Evidence may be returned to them.

Attest,

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And then he withdrew.

Contingencies.

Mr. Roblin, from the Standing Committee on Contingencies, presented to the House the Fourth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have since their last Report, proceeded in the auditing of the various accounts that have been presented against Your Honourable House.

Of the Balance of £1,464, in the hands of the Clerk, at the last audit, and £4,000 granted since that period, as well as of £180 received on Private Bills, there is now a balance unexpended of £340 8s. 6½d.

An account is due for postage of over £1500, and other accounts to a large amount are claimed. Your Committee have therefore agreed to recommend to Your Honourable House, that another advance be made of £5,000 for the purposes of liquidating the same and others that may become due.

On motion of Mr. Williams, seconded by Mr. Petrie,

Election, West  
Riding Halton.

Ordered, That the Select Committee appointed to try the merits of the Petition of James Durand, Esquire, complaining of the undue election and return of James Webster, Esquire, the Sitting Member for the West Riding of the county of Halton, have leave to adjourn until Thursday,



the third day of April next, at ten o'clock, A. M.

Agricultural  
Societies,  
Upper Canada.

Mr. Murney, from the Committee of the whole House to take into consideration the expediency of granting an aid to Agricultural Societies in Upper Canada, reported, according to Order, the Resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

(329)

Resolved, That it is expedient to grant a sum not exceeding two hundred and fifty pounds for each district in Upper Canada, for the encouragement of Agriculture and Agricultural Societies.

Resolved, That a Select Committee, composed of Mr. Webster, Mr. Prince, and Mr. Petrie, be appointed to prepare and bring in a Bill in conformity to the said Resolution.

Agriculture,  
Lower Canada.

Mr. Méthot, from the Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein, reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

"Christian  
Unitarians."

The Order of the Day for the House in Committee on the Bill to afford relief to a certain Religious congregation at Montreal, denominated "Christian Unitarians," being read,

The House accordingly resolved itself into the said Committee.

Mr. Macdonell, of Dundas, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonell reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Chambly Cotton Factory.

*The Order of the Day for the House in Committee on the Bill to incorporate the Chambly Cotton Manufacturing Company, as reported by the Standing Committee on Private Bills, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Armstrong took the chair of the Committee,<sup>1</sup>*

MR. MOFFATT, in moving the adoption of the first clause of the Bill, said that from the fate of the Quebec Forwarding Company upon the previous evening, he anticipated some opposition to this Bill. The Bill had been referred to a Committee, and there undergone some modifications; he now intend(ed) to move for the reduction of the capital to £8000, when it would be identical with that of the Sherbrooke Cotton Factory Bill, as amended. He anticipated the opposition of the Hon. Member for the Fourth Riding of York, and he agreed in the justice of the principle of that opposition, indeed he had been one of the first to uphold it; but he thought that as the House had incorporated a similar company this session, it could not now consistently refuse a charter to this. The Company, it was true, at the present time, only consisted of three gentlemen, but that was more reason why it should not be enlarged, and it would perhaps consist of three hundred, if the charter were granted. The Messrs. Hall<sup>2</sup>, three young men, sons of an old and respectable inhabitant of Lower Canada<sup>3</sup>, who asked for this charter, had erected extensive Mills, and the Factory was all but ready to go into operation.<sup>4</sup>

MR. ATTORNEY GENERAL DRAPER after what he had stated last night on the Forwarding Bill would only observe that his opinions remained unchanged and he must oppose the bill.<sup>5</sup>

MR. PRICE expressed his satisfaction at the course taken by the Attorney General. He had opposed the Sherbrooke Bill, and he would persevere in the same course. He regretted to observe the desire manifested for these corporations. He thought the present application the most absurd of all the absurdities in this way. What to incorporate these men who might sell out the charter the day after they received it to American speculators. It is time to put a stop to this system. The establishment of such monopolies was calculated to retard the progress of honest trade.<sup>6</sup>

MR. HALE supported the Bill. He considered the opposition offered to the Quebec Forwarding Company and this Bill as most ungenerous. It appeared that the House wished to stifle all enterprise, and prevent the establishment of manufactures. As to these Companies being monopolists, it was altogether the contrary, for they enabled individuals of small capital to embark in undertakings which would be otherwise

monopolized by men of large capital.<sup>7</sup>

MR. BALDWIN was surprised at the imputation of ungenerous motives to those who opposed the bill of last night.<sup>8</sup> The Member for the Town of Sherbrooke ... and no other Member of that House, had a right to charge him with being ungenerous in the opposition which he offered to any measure.<sup>9</sup> He (Mr. Baldwin) was incapable of offering ungenerous opposition to any bill much less to the bill of his hon. and learned friend from Quebec and to one for the benefit of the old capital of Canada a city which he would particularly desire to favour in any way in his power. But a great principle was at stake and he (Mr. Baldwin) could not consent to fill this Province with Chartered Companies.<sup>10</sup> Because the House had established one bad precedent, it was no reason that it was to continue in error.<sup>11</sup> The reasons given by the mover in his coaxing way that there were only three persons concerned, were in his opinion against it. These persons had built their mill as a private speculation on their own property. He would refer to the case of a friend of his and of the hon. member for Simcoe (not a political friend) he meant Mr. Gorham who had a flourishing establishment in New Market in the North Riding. Now why should not Mr. Gorham have a Charter of incorporation under the style of the New Market Woollen Manufactory &c. &c.<sup>12</sup> . It was just as well to incorporate one individual as to incorporate three.<sup>13</sup>

MR. BERTHELOT spoke ... in French in opposition to the bill.<sup>14</sup> There was no security that the Company would not run into debt over and above the amount of its capital. Its proposed capital was so small that when the necessary machinery was purchased it would be exhausted, and the Company would have nothing left to carry on operations with. It was impossible to compete with the English manufactories, where labour was plentiful and cheap.<sup>15</sup>

MR. DEWITT was in favour of the Bill. A very large amount of grey cottons were now imported from the United States, which might just as well be made here. And a large number of females went from Canada to Lowell for employment in the cotton factories. He thought that the House had no occasion to be so careful of the future creditors of this Company. The principal creditors would be the Americans, and they were quite able to take care of themselves, without the assistance of our Legislature.<sup>16</sup>

DR. DUNLOP would support the Bill, with the understanding that the vote on this occasion should not be considered as a precedent for future action. He wished to see the expenditure tried. If it failed, they would have no more applications; but if they were successful, it would be of advantage to the country. He would observe the same policy with regard to all new manufactories; for it was impossible they could thrive

without encouragement being held out to them in the first stages of their existence.<sup>17</sup>

MR. DUGGAN was not favorable to those small corporations, unless good grounds were shown; but as the principle had been acknowledged by the passage of a similar Bill, he would not oppose it, if the limitation clauses were struck out; but if this were retained he should vote against it. He considered this protection of Companies from their liabilities as contrary to justice.<sup>18</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD entered at some length into the question of incorporated Companies; he first objected to the principle of incorporating Forwarding Companies and dwelt on their liabilities to the public as common carriers. He then referred to the case of banks which he thought in new countries it was necessary to incorporate. He took up the case of cotton factories<sup>19</sup>. ((He)) was opposed to the principle of limitation, but it had been departed from, upon grounds of expediency, in all countries, in order to give a stimulus to enterprise. This was one of the first occasions on which cotton manufactories had been attempted in this Colony, and it was a question whether it was not politic to grant a limitation, in order to encourage them. The limitation would be a notorious fact, and the knowledge of it ought to be protection enough to the creditor. The manufacturing of cotton was the only one in which the United States could compete with England and in this respect, Canada was on a par with the United States. It would give employment to a great number of young women who could obtain no other honest employment. Therefore that House ought, on an occasion like the present, to depart from what was, in other cases, a salutary law, in order to give a stimulus to a manufacture which might produce important results and which would give employment to hundreds of the unemployed. It was only by doing so that this country ever could be raised to its proper station, and an end could be put to the odious comparisons which were drawn between the United States and this Colony when they were told, with only an imaginary line between the two countries, property on the one side was worth five times more than it was upon the other. Upon these considerations, he would support the Bill.<sup>20</sup>

(329)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Armstrong reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the Committee have leave to sit again this day.*



1953

*Then, the House adjourned for twenty minutes.*

---

*20 Minutes to 7 O'Clock, P. M.*

*The House again resolved itself into a Committee of the whole House, on the Bill to incorporate the Chambly Cotton Manufacturing Company, as reported by the Standing Committee on Private Bills.*

*Mr. Christie took the chair of the Committee,*

MR. BALDWIN moved that the Committee rise.<sup>21</sup>

MR. LAFONTAINE spoke at length in French.<sup>22</sup> Il se plaignit de la conduite que l'on tenait vis-à-vis, en supportant la mesure après avoir rejeté le bill de M. Aylwin la veille même, au mépris du précédent établi dans cette session même par la passation du bill de manufacture de Sherbrooke, où se trouve une clause de limitation bien plus exceptionnelle que celle du bill de la veille.<sup>23</sup>

MR. ATTY. GEN. ((JAMES)) SMITH said, that he had voted for the incorporation of the Sherbrooke Cotton Factory, because he considered that it was expedient to encourage new manufactures by a limitation, even at the risk of a loss therefrom. But because he had done so, he denied the justice of the reasoning of the Member for Terrebonne, that the vote of the House on that occasion had established a precedent, which could not be departed from this session. It had been the policy of every nation to attract capital and establish domestic manufactures, by favourable legislative enactments. He denied that there was any similitude between a Company of this kind and a Forwarding Company. The nature of the latter, as common carriers, subject to immense losses, placed them upon a very different footing; and he believed that there was no instance of a clause of limitation having been given in any country to such a Company.<sup>24</sup>

MR. BROOKS supported the Bill.<sup>25</sup>

MR. AYLWIN complained ... of the partial conduct of the ministerial party, referring to his Forwarding Bill. He was in favour of these companies but he objected to some of the details of the present bill such as the power of borrowing<sup>26</sup>, faculté qu'on élevait à une somme de £10,000 en sus de son capital! Il s'y opposait aussi parce que le bill ne contenait pas la clause de double garantie. Rétorquant contre M. Sherwood et contre M. Smith l'argument tiré de la comparaison des compagnies de transport aux porteurs ordinaires, il leurs rappela que la compagnie du chemin de fer dont la demande d'incorporation était

aussi devant la chambre se trouvait précisément dans la même catégorie (sic), et conclut ainsi en les battant avec leurs propres armes.<sup>27</sup>

MR. DRUMMOND - Although he had opposed the Forwarding Bill, would vote for that before the House. The former he regarded as a private measure, the other measure was one of public benefit. An office had been established in this city, for the purpose of exporting young girls into the manufactories of the United States. The present Bill would have the effect of establishing an industrial institution, which would give them employment within hearing of the bell of their native village, and within reach of the vigilance and protection of their parents. So far from that House showing any inconsistency in voting for this measure, he considered that the inconsistency would be in voting against it. He was sorry to be obliged to have to vote against his friends on that side, but he would always give his voice and vote towards any effort to establish manufactures, and to give employment to the unemployed. It should also be recollected that a market was wanted for our agricultural produce, and what better market could there be than would be found at the doors of a manufactory. This was another reason why he should support the Bill.<sup>28</sup>

MR. BERTHELOT opposed the bill on the ground of the limited liability of the shareholders.<sup>29</sup>

((The debate continued.))<sup>30</sup>

A division was taken on Mr. Baldwin's amendment that the committee rise, yeas 24, nays 33.<sup>31</sup>

The various clauses of the Bill were then adopted.<sup>32</sup>

(329)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Christie reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Harris'  
Divorce.

The Order of the Day for the second reading  
of the engrossed Bill from the Legislative Council,  
intituled, "An Act to dissolve the marriage of

Henry William Harris, Esquire, with Eliza Walker, otherwise called  
Eliza Lock Walker, his now wife, and to enable him to marry again, and

for other purposes therein mentioned" being read,

Mr. Chauveau moved, seconded by the Honourable Mr. Morin, that the said Bill be read a second time on Monday next, and that it be then the first Order of the Day.<sup>33</sup>

M. CHAUVEAU désirait qu'elle fut remise aux jours suivans afin que chacun eut le temps de traiter la question avec tout l'examen que son importance exigeait.<sup>34</sup>

((MR. J. A. MACDONALD)) et M. HENRY SMITH (de Frontenac) s'opposèrent à ce délai.<sup>35</sup> On ((disait)) qu'on avait besoin de hâter cette mesure, parce que la session était avancée, que lui, M. Chauveau, pouvait laisser passer la deuxième lecture sans discussion, comme il arrive quelquefois suivant convention faite entre les parties, se réservant le droit de combattre le principe même, lorsque la mesure a été soumise à un comité, et qu'elle revient sous cette forme nouvelle devant la chambre.<sup>36</sup>

MR. CHAUVEAU expressed surprise and regret that on a question of such importance hon. gentlemen should refuse an indulgence which had been granted in so many other cases.<sup>37</sup>

(329)

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Dickson, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of DUNDAS, Méthot, Morin, Papineau, Powell, Prince, Roblin, Sherwood of BROCKVILLE, Solicitor General Sherwood, Taché, and Thompson.--(25.)

NAYS.

Brooks, Chalmers, Christie, Colville, Cummings, Attorney General Draper, Dunlop, Ermatinger, Foster, Gowin, Greive, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Petrie, Price, Robinson, Seymour, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Watts, Webster, and Williams.--(31.)

So it passed in the negative.

Mr. Macdonald, of Kingston, moved, seconded by the Honourable Mr. Moffatt, that the Bill be now read a second time.

*Mr. Chauveau moved, in amendment, seconded by the Honourable Mr. Morin, that the word "now," in the said motion, be struck out, and the words "this day six months" substituted.*

M. CHAUVEAU dit ... un discours contre le bill. Il était contraire au principe du divorce; que s'il n'y avait que des protestans dans le pays, il ne conviendrait peut-être pas à un catholique d'intervenir dans la discussion, mais comme le Bas-Canada est catholique et regarde le divorce comme attentatoire aux lois du christianisme et de la société, il doit énoncer ses objections.<sup>38</sup> The hon. member then argued against the bill first on a religious ground.<sup>39</sup> Qu'ensuite les parties concernées (le capitaine Harris et sa femme) n'avaient pas même de domicile dans la province; qu'elles en avaient bien eu un dans le Bas Canada à l'époque de leur mariage, mais que les lois du Bas-Canada, où le crime fut commis par la femme du pétitionnaire, ne reconnaissaient pas le divorce, et qu'on ne pouvait pas les changer pour accommoder les partis (sic), qui s'y étaient elles-mêmes soumises, d'ailleurs, en se mariant dans le Bas-Canada.<sup>40</sup>

M. CAUCHON combattit aussi la mesure.<sup>41</sup>

MR. ((JOHN S.)) MACDONALD explained the course he intended to adopt with regard to the Bill, and deprecated any discussion at this stage.<sup>42</sup>

MR. PAPINEAU briefly opposed the principle of the Bill.<sup>43</sup>

MR. CAUCHON déclara que comme l'heure était trop avancée, il ne parlerait qu'à une autre phase de la question.<sup>44</sup>

A short debate ensued<sup>45</sup> .

(329)

*The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Berthelot, Bertrand, Cauchon, Chauveau, Desautier, Drummond, Foster, Jobin, Lacoste, Lantier, Laterrière, Laurin, Méthot, Morin, and Papineau--(17.)

NAYS.

Brooks, Chalmers, Christie, Colville, Cummings, Dickson, Dunlop, Ermatinger, Gowan, Hale, Hall, Jessup, Johnston, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Powell,



Petrie, Price, Prince, Robinson, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of BYTOWN, Thompson, Watts, Webster, and Williams--(32.)

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and

The said Bill was accordingly read a second time, and referred to a Select Committee, composed of Mr. Macdonald, of Kingston, the Honourable Mr. Moffatt, Mr. Hale, the Honourable Mr. Solicitor General Sherwood, Mr. Meyers, Mr. Hall, and Mr. Macdonald, of Cornwall, for the preliminary investigation thereof; to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Minutes of Evidence on the subject of the said Bill communicated to this House, this day, by the Honourable the Legislative Council, be referred to the said Committee.

(330)

Harris'  
Divorce.

Ordered, That the said Committee do hear Counsel, and examine witnesses for the said Bill; and also that they do hear Counsel and examine witnesses against the Bill, if the parties concerned think fit to be heard by Counsel or produce witnesses.

The Honourable Mr. Aylwin moved, seconded by the Honourable Mr. Laterrière, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Toronto and  
Lake Huron  
Railroad  
Company.

The Order of the Day for the second reading of the Bill, to amend an Act passed in the fourth year of the reign of His late Majesty, King William IV. intituled, "An Act to incorporate the City of Toronto and Lake Huron Railroad Company," being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonald, of Cornwall, took the chair of the Committee,<sup>46</sup> and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonald, of Cornwall, reported that the Committee had gone through the Bill without making any amendment thereto; and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Ordinance  
Estates.

The Order of the Day for the second reading of the Bill to explain and amend part of an Act, passed in the seventh year of Her Majesty's reign, intituled, "An Act for vesting in the principal Officers of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said officers; and for other purposes therein mentioned," being read,

The said Bill was accordingly read, and referred to the Select Committee to which was referred the Petition of N. Sparks and others, of Bytown, and another reference.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Johnston,

The House adjourned.

FOOTNOTES - 6 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 8 March 1845, in an account identical to that in the BRITISH WHIG, 14 March 1845, copied from MONTREAL COURIER; LA MINERVE, 10 March 1845; LE JOURNAL DE QUEBEC, 15 March 1845, which noted it; and PILOT, 8 March 1845, whose account was copied by the BROCKVILLE RECORDER, 13 March 1845. A commentary was contained in LE JOURNAL DE QUEBEC, 15 March 1845. The debate on this Bill was broken by a twenty minute break. The first session was chaired by Mr. Armstrong, the second by Mr. Christie. The reconstructed debate has also been divided in two, and inserted in the two appropriate places in the JOURNALS. However, since none of the newspapers gave any indication at which point the debate did recess, the division is quite arbitrary, and is based only on inference, not definite evidence.

2. MONTREAL GAZETTE, 8 March 1845.

3. PILOT, 8 March 1845.

4. MONTREAL GAZETTE, 8 March 1845.

5. PILOT, 8 March 1845.

6. IBID.

7. MONTREAL GAZETTE, 8 March 1845.

8. PILOT, 8 March 1845.

9. MONTREAL GAZETTE, 8 March 1845.

10. PILOT, 8 March 1845.

11. MONTREAL GAZETTE, 8 March 1845.

12. PILOT, 8 March 1845.

13. MONTREAL GAZETTE, 8 March 1845.

14. PILOT, 8 March 1845.

15. MONTREAL GAZETTE, 8 March 1845.

16. IBID.

17. IBID.

18. IBID.

19. PILOT, 8 March 1845.

20. MONTREAL GAZETTE, 8 March 1845.

21. IBID.

22. PILOT, 8 March 1845.

23. LA MINERVE, 10 March 1845.

24. MONTREAL GAZETTE, 8 March 1845.

25. IBID.

26. PILOT, 8 March 1845.

27. LA MINERVE, 10 March 1845.

28. MONTREAL GAZETTE, 8 March 1845.

29. PILOT, 8 March 1845.

30. IBID.

31. IBID. "Among the yeas was Mr. Attorney General Draper who was deserted by all his colleagues, Mr. Dickson, Mr. Gowan, and Mr. Henry Smith. Among the nays were Messrs. Drummond, Merritt, and Lemoine."

32. IBID.

33. The debate on this matter was reported by: LE JOURNAL DE QUEBEC, 15 March 1845; MONTREAL GAZETTE, 8 March 1845, in an account identical to that in BRITISH WHIG, 14 March 1845, copied from MONTREAL COURIER; LA MINERVE, 10 March 1845; and the PILOT, 8 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845.
34. LA MINERVE, 10 March 1845.
35. IBID.
36. LE JOURNAL DE QUEBEC, 15 March 1845.
37. PILOT, 8 March 1845.
38. LA MINERVE, 8 March 1845.
39. PILOT, 8 March 1845.
40. LA MINERVE, 10 March 1845.
41. IBID.
42. MONTREAL GAZETTE, 8 March 1845.
43. IBID.
44. LE JOURNAL DE QUEBEC, 15 March 1845.
45. PILOT, 8 March 1845.
46. The reporters quoted by LA MINERVE, MONTREAL COURIER as cited in BRITISH WHIG, and MONTREAL GAZETTE, stated that they left the House at midnight when the House was still in Committee on this matter.



FRIDAY, 7 MARCH 1845.

(330)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By the Honourable Mr. Attorney General Smith, the Petition of the Reverend Mr. Townsend and others, members of the Church of England, in the parishes of St. George, and St. Thomas, in the diocese of Quebec.

By the Honourable Mr. Robinson, the Petition of James Sanson and others, of Orillia and other townships, (relating to a road.)

By Mr. Duggan, the Petition of Asa Annis, of the township of Whitby, in the Home district; and the Petition of James Paterson and others, of the townships of Toronto, Chinguacousy, and Caledon.

By Mr. Chalmers, the Petition of Ebenezer C. Griffin and others, of the township of Flamborough East, in the district of Gore.

By the Honourable Mr. Morin, the Petition of John M'Phee, President of the Agricultural Society, and others, of the county of Two Mountains; the Petition of William Morrin and others, of the county of Two Mountains; and the Petition of John M'Call and others, of the county of Two Mountains.

Pères Oblats.

An engrossed Bill, to incorporate "Les Reverends Pères Oblats de l'Immaculée Conception de Marie," in the Province of Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Morin do carry the said Bill to the Legislative Council, and desire their concurrence.

Agriculture,  
Lower Canada.

An engrossed Bill to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Watts do carry the said Bill to the Legislative Council, and desire their concurrence.

Small Debts.

An engrossed Bill, to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, "An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts,

and to make other provision therefor," was read for the third time.<sup>1</sup>

MR. GOWAN ... ((proposed a ryder)) requiring courts to be held in each township.<sup>2</sup>

There was ... some discussion on the principle<sup>3</sup> .

MR. BALDWIN and several other members approved of the principle of the proposition<sup>4</sup> .

((However)) it was considered impracticable at present<sup>5</sup> .

MR. GOWAN withdrew his motion.<sup>6</sup>

(330)

Mr. Dickson moved, seconded by Mr. Riddell, that the following amendment be made to the Bill; insert the words "hereafter be appointed," between the word "shall," and the word "fill," in the last line in the second clause.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Cauchon, Chabot, Chalmers, Christie, Colville, Cummings, DeWitt, Dickson, Attorney General Draper, Foster, Gowan, Greive, Hall, Jessup, Lacoste, LaFontaine, Lantier, Laterrière, LeMoine, Leslie, Macdonald of CORNWALL, M'Connell, Merritt, Méthot, Meyers, Moffatt, Papineau, Powell, Price, Riddell, Robinson, Roblin, Seymour, Attorney General Smith, Stewart of PRESCOTT, Taché, Thompson, Watts, Webster, and Williams--(44.)

NAYS.

Brooks, Duggan, Johnston, Laurin, Macdonald of KINGSTON, Macdonell of STORMONT, Morin, Sherwood of BROCKVILLE, and Solicitor General Sherwood--(9.)

So it was carried in the affirmative, and

Ordered, accordingly.

The Bill was then amended at the table.

Resolved, That the Bill do pass, and the title be "An Act to amend an Act to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, An Act to repeal the laws now in

force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor."

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council, and desire their concurrence.

(331)

Toronto and  
Lake Huron  
Railroad.

An engrossed Bill to amend an Act passed in the fourth year of the reign of His late Majesty, King William the Fourth, intituled "An Act to incorporate the City of Toronto and Lake Huron Railroad Company," was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to amend an Act passed in the sixth year of the reign of His late Majesty, King William the Fourth, intituled 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company."

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council and desire their concurrence.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Niagara  
Incorporation.

The Legislative Council have passed the Bill intituled, "An Act to incorporate the town of Niagara, and to establish a Police therein," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Gabriel Marchand, of St. Jean, praying to be remunerated for his services as Commissioner for taking evidence on the contested election of Ralph Taylor, Esquire, in 1831.

Of the Reverend Joseph Scott and others, the Ministers and Members of the Church of England, in the townships of Brome, Sutton and Stukely; and of the Reverend John Bethune and others, of the congregation of Christ Church, Montreal, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves as shall correspond with their share of the income arising from the same.

Of the Municipal Council of the Western district, praying that should it be found necessary to impose an excise duty upon Stills and Brewers, it may be done in such a manner as not to injure those interested in the Manufacture of spirituous liquors, or to encourage Smuggling.

Of Robert Stanton, Esquire, and others, members of the United Church of England and Ireland, residing in the city of Toronto, praying that no measure effecting King's College may be entertained at this late period of the Session.

Of Flavien Vallerand, of the city of Montreal, praying that the sum of £51 6s. 8d., be granted to him for his services as Clerk of the Municipal Council of the Municipal district of Richelieu.

Petitions  
referred.

O. Odell  
and others.

Ordered, That the Petition of Oliver Odell and others, of the seigniory of Lacolle, in the county of Huntingdon, be referred to the Select Committee, to which was referred the Bill to regulate the study and practice of Medicine, Surgery, and Midwifery within this Province.

G. Marchand.

Ordered, That the Petition of Gabriel Marchand, of St. Jean, be referred to the Standing Committee on Contingencies.

R. Matthew-  
man & others.

C. Colquhoun  
and others.

D. Munro  
and others.

J. A. Eakins  
and others.

J. Taunton  
and others.

J. H. Syder  
and others.

J. Wilson  
and others.

Ordered, That the Petition of Benjamin Matthew-  
man and others, Lessees of the Clergy Reserves, and others, in the township of Nelson, in the district of Gore; the Petition of Charles Colquhoun and others, of St. Thomas, and vicinity, in the district of London; the Petition of Dugald Munro and others, of the township of Southwold in the district of London; the Petition of John A. Eakins and others, of Sparta, in the London district; the Petition of James Taunton and others of the township of Southwold, in the district of London; the Petition of J. H. Syder and others, of Yarmouth, in the district of London; the Petition of Jeremiah Wilson and others, of Westminster, in the district of London; the Petition of Thomas G. Coyne and others, of the township of Durwich; and the Petition of William Armstrong and others, of Eramosa, and other townships, in the district of Wellington; be severally referred to the



T. G. Coyne  
and others.

Select Committee, to which was referred the Petition of John Wetenhall and others, of the township of Nelson, in the district of Gore, and other references.

W. Armstrong  
and others.

F. Vallerand.

Ordered, That the Petition of Flavien Vallerand, of the city of Montreal, be referred to the Select Committee, to which was referred the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada, with an instruction, and other references.

A. M'Leod.

Resolved, That the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara, be referred to a Select Committee, composed of Mr. Dickson, Mr. Prince, Mr. Price, the Honourable Mr. Small, and Mr. Macdonald, of Cornwall, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by Mr. Duggan.

Election,  
County of  
Middlesex.

Resolved, That the Sitting Member for the county of Middlesex have leave to add the following names to the List of Witnesses put in by him at the striking of the Committee, to try the contested election for the said county of Middlesex, and that the same be forwarded to the Petitioner forthwith:--

#### ADDITIONAL LIST OF WITNESSES,

On the part of E. ERMATINGER, residing in the London District, to give Testimony relative to Votes polled for WM. NOTMAN, Esquire, at the late Election for the County of MIDDLESEX.

#### SOUTHWOLD.

James Potheary,  
Richard Hughes,  
Isaac Smith,  
Charles Hannan,  
Sidney Auger,  
William Silcox,  
Charles Potheary,  
James Seywell,  
Meredith Orman,

#### SOUTHWOLD--(Continued.)

Archibald Keir,  
Daniel Bowlby,  
Joseph Syms,  
Charles Hetherington,  
David Hughes,  
Thomas Fletcher,  
Jonathan Smith,  
Isaac Bowlby,  
David Pinarden,

*SOUTHWOLD--(continued)*

John Bunger,  
 Samuel Smith,  
 Abraham Smith,  
 Charles Moss or Mop,  
 Samuel Brewer,  
 Jacob Lemam,  
 Phineas Medcalf,  
 Jacob Smith,  
 Edward Rogers,  
 Benjamin Lloyd,  
 Henry Stringer,  
 William Bowlby,  
 Isaac Riley,  
 David Gilbert,  
 John Mitchell,  
 Anthony Sutton,  
 Joseph Smith,  
 Squire Millard,  
 Samuel Mitchell,  
 William Webb,  
 William Mason,  
 Alexander Bowlby,  
 John Bunger,  
 Noah Silcox,  
 James Davis,  
 Hopper King,  
 James Burwell, senior,  
 Charles King,  
 Richard Martin,  
 Mathia Bunger,  
 Christopher Claus,  
 John Miligan,  
 Alexander Ross,  
 Henry Ellis,  
 John Watson,  
 Thomas Rihill,

(332)

John St. Etienne,  
 Walter Wilson,  
 Robert Wilson,  
 Robert Mitchell,  
 Jacob Covart,  
 Gilman Wilson,  
 John Dotherty,  
 Jacob Gilbert,

*SOUTHWOLD--(continued)*

Robert Johnston,  
 Phineas Venner,  
 Richard Braine,  
 John Fletcher,  
 Bryce Thompson,  
 Robert Thompson,  
 James Begg,  
 Samuel Masson,  
 George Begg,  
 Abraham King,  
 Archibald Campbell,  
 John Mitchell,  
 John Lells,  
 Robert Blackwood,  
 Edward Page,  
 John Black,  
 Henry Payne, senior,  
 Hugh Webster,  
 Archibald Hamilton,  
 David Watson,  
 Edward S. Godfrey,  
 Joseph Lells,  
 John Mitchell, junior,  
 Daniel Drake,  
 Peter Graves,  
 Hugh Sheaner,  
 Alexander Hodge,  
 Malcolm M'Intyre,  
 Dugald Brown,  
 John M'Intyre,  
 Allan Watson,  
 Richard Nicholls,  
 Esau Payne,  
 Henry Payne, senior,  
 Arumich Sutton,  
 William Sells,  
 John Lindsay,  
 Alexander Hamilton,  
 Samuel Griffin,  
 George Robb,  
 James Robb,  
 Abraham Sells,  
 Jeffrey Hunter,  
 Abraham Graves,  
 Daniel Dean,  
 Edward Harris,

SOUTHWOLD--(continued)

Neil Gillis,  
 Isaac Walton,  
 William Casey,  
 Andrew Harm,  
 Stewart Bissell,  
 Willis Smith,  
 David Wetton,  
 Neil Danah,  
 William Spittler,  
 John Welton, junior,  
 George Ballantyne,  
 David M'Intosh,  
 Archibald Black,  
 William Oliver,  
 Francis Oliver,  
 John Lawrence,  
 Archibald Murray,  
 Silas Stafford,  
 James Broidy,  
 William Cushman,  
 Archibald M'Lean,  
 John Stafford,  
 Ralph Stafford,  
 Daniel Silcox,  
 Thomas M'Lellan,  
 John Campbell,  
 David Alliston,  
 Hugh Howell,  
 Nelson M'Lellan,  
 Duncan M'Clarty,  
 John M'Killop,  
 Phineas Barber,  
 Davis Harrison,  
 John Petelle,  
 Neil M'Alpine,  
 Robert Wade,  
 Alexander M'Alpine,  
 Daniel M'Intyre,  
 Abraham Bodin,  
 Thomas Orchard,  
 Joseph Orchard,  
 John Orchard,  
 Christian Hunch,  
 Peter M'Lean,  
 George Goodhue,

SOUTHWOLD--(continued)

John Doan,  
 Charles Scott,  
 Enos Scott,  
 Neil Munroe,  
 Archibald Munroe,  
 Joshua Waddle,  
 Angus M'Intyre,  
 Garrett Smith,  
 Jeremiah Annette,  
 Archibald Galbreath,  
 Pennee Brady,  
 Amos Davis,  
 Benjamin Vankenten,  
 Montgomery Smith,  
 Benjamin Johnston,  
 John Cadnak,  
 Neil Gillis,  
 William Gryn,  
 John Hoop,  
 John M'Naight,  
 Richard Nicholl,  
 Frederick Randle,  
 Isaac Wallace,  
 William Brinnacomb,  
 Walter Whitwam,  
 David Mann,  
 Abel Stafford,  
 James M'Intosh,  
 Obadiah Griffin,  
 Peter Grettin,  
 Duncan Campbell,  
 John Crosby,  
 Ira Gilbert,  
 Isaac Philips,  
 David Cushman,  
 Samuel Wallace,  
 Neil M'Phail,  
 James J. Ferguson,  
 Robert H. Nellis,  
 John Hamilton,  
 Samuel Burwell,  
 John G. Pither,  
 Daniel Munroe,  
 Frim Bissell,  
 Joshua Morris,

*SOUTHWOLD--(continued)*

James Leamser,  
 Angus M'Call,  
 Thomas Rilday,  
 Thomas Rollo,  
 James A. Wilkinson,  
 P. C. Dunwich,  
 Joseph Steinheof,  
 Colin Can  
 George Taylor,  
 Duncan Munroe,  
 Jeremiah Cranmer,  
 John Munroe,  
 Richard Williams,  
 John Williams,  
 Matthew Saxsmith,  
 William Wane,  
 William Pittel,  
 Jonathan G. Gutgel,  
 Elijah Clarke,  
 John M. Nicholl,  
 Ralph Philipp,  
 John Cammer,  
 John Masson,

*ALDBOROUGH.*

Malcolm Munro,  
 Archibald Munro,  
 Hugh M'Cowan,  
 Neil Campbell,  
 John Buchan,  
 John C. Gillis,  
 Thomas Duncan,  
 Daniel Campbell,  
 Donald M'Gregar,  
 Dugald M'Intosh,  
 John Pursell,  
 John Keir,  
 John M'Dugald,  
 John Campbell,  
 John Main,  
 Archibald Paterson,  
 Moses Allen,  
 Duncan M'Gregor,  
 Duncan M'Killop,  
 James M'Kinley,  
 Finly M'Diarmid,

*ALDBOROUGH--(continued)*

John Bamingy,  
 Donald Paterson,  
 Donald Campbell,  
 Donald M'Naughton,  
 Neil Walker,  
 Archibald Campbell,  
 Alexander Baxter,  
 Angus M'Intyre,  
 Hugh Graham,  
 Alexander M'Ewin,  
 Duncan M'Farlane,  
 Angus M'Kay,  
 Alexander Campbell,  
 Hector Paterson,  
 Donald Pursell,  
 Alexander Brodie,  
 Duncan M'Kellar,  
 Alexander Campbell,  
 Angus M'Gugan,  
 Archibald M'Arthur,  
 James M'Bride,  
 Dougald M'Larty,  
 John M'Intyre,  
 Archibald M'Lean,  
 John Sinclair,  
 Duncan Gillis,  
 Archibald Thompson,  
 Norman Ford,  
 John Ford,  
 Colin Ruthan,  
 Duncan M'Nab,  
 Duncan Paterson,  
 John Cunningham,  
 Donald Campbell,  
 Richard Webb, Esquire,  
 R. O. Delaware,  
 H. Hamilton, P. C.  
 Donald M'Intyre,  
 Charles Dogherty,  
 Samuel M'Call,  
 Donald M'Alpine,  
 John M'Millan,  
 Neil Buchan,  
 Angus M'Intyre,  
 James Campbell,  
 Dougald M'Intyre,  
 John Paterson,



ALDBOROUGH--(continued)

Nicholas Scott,  
Gregor M'Gregor.

## LOBO.

Donald M'Arthur,  
Archibald M'Arthur,  
Alexander Johnston,  
John Adamson,  
Jon. Campbell,  
Richard Edwards,  
Archibald M'Arthur,  
Silvester Campbell,  
John B. Campbell,  
James Campbell,  
William Beckwilk,  
Duncan Syman,  
Locklin M'Intaggart,  
John M'Call,  
Archibald M'Kellar,  
Andrew Ferguson,  
Thomas M'Pherson,  
Duncan M'Intyre,  
Duncan M'Kellar,  
John M'Kay,  
William Boston,  
Thomas Boston,  
Thomas Hunn,  
Donald M'Dougald,  
Duncan Graham,  
Dugald Graham,  
Alexander Graham,  
Elizabeth Gustin,  
Benjamin Woodhull,  
Thompson Wilson,  
William T. Renwick,  
Benjamin Woodhull,  
Charles Woodhull,  
Dugald M'Call,  
John Harris,  
James Sharpe,  
Donald M'Kinly,  
Peter Graham,  
Edward Shipley,  
Lionel Shipley,  
Duncan M'Intyre,  
Donald Graham,  
Wm. Oliver,

LOBO--(continued)

Peter Graham,  
Ira Allen,  
James Attwood,  
David Lynch,  
Robert Waugh,  
Donald Graham,  
Joseph M'Intyre,  
Duncan Campbell,  
Archibald M'Vicar,  
John M'Kellar,  
Alexander Sinclair,  
Alexander M'Pherson,  
Jesse Zavitz,  
Wm. Jestin,  
John Zavitz,  
David Doty, R. O., Dorchester,  
Donald M'Intyre,  
James Hadley,  
Hugh M'Pherson,  
Peter M'Kellar,  
Donald Campbell,  
James M'Arthur,  
Duncan M'Keith,  
Henry J. Jeurin,  
John Harris,  
Duncan M'Intyre,  
Peter M'Vicar,  
Archibald Sinclair,  
Jonas Zavitz,  
Duncan Graham,  
Joseph S. Sickles,  
Archibald M'Arthur,  
Charles Woodhull,  
Archibald Paul,  
Neil Morrison,  
John Roher,  
Archibald M'Kellar,  
Edward Shipley,  
John Edwards,  
Henry Edwards,  
John Dewer,  
James Hedley,  
Edward Charlton,  
Peter Syman,  
Peter M'Intyre,  
Duncan Smith,  
Charles Carmichael,  
Hugh M'Intyre,

## LOBO--(continued)

Duncan Graham,  
 Malcolm Smith,  
 John Sinclair,  
 John Smith,  
 John Johnston,  
 Aaron Allen,  
 Marcus Monserrat, P. C., Dorchester,  
 James M'Vicar,  
 Neil M'Keith,  
 George Allway,  
 Neville Challoner,  
 James M'Intosh,  
 Duncan M'Neil,  
 Hyland Wood,  
 Donald M'Donald,  
 Angus M'Donald,  
 Peter M'Intyre,  
 Duncan M'Lean,  
 Archibald M'Kellar,  
 Norman Lamont,  
 Alexander Campbell,  
 Andrew Cope,  
 George Whittaker,  
 Hugh Johnston,  
 Donald Dewar,  
 Neil Morrison,  
 Wm. Smith,  
 Duncan M'Vicar,  
 Archibald M'Gorgan,

(333)

John M'Kay,  
 Hugh Carmichael,  
 Benjamin Zavitz,  
 John Lambert,  
 Charles Woodman,  
 George M'Dougald,  
 Archibald Graham,  
 Alexander Stewart,  
 Alexander Graham,  
 George C. Challoner,  
 Effy Sinclair,  
 Dugald Paul,  
 Malcolm Paul,  
 Archibald Paul,  
 Thos. H. Ball, R. O., London.

## MALAHIDE.

Moses Sanders,  
 Henry Finch,  
 Peter Clayton,  
 James Brown,  
 Easeb Sorrell,  
 John Mallery,  
 Ruben Crandell,  
 Othneil Phelps,  
 David Hutchison,  
 W. Evans,  
 Alexander Caseaddin,  
 Thomas Zavetz,  
 David Ferguson,  
 William H. Caseaddin,  
 James Adams,  
 John Huff,  
 James S. Burdick,  
 Daniel Abel,  
 Patrick Burns,  
 Samuel Van Waggoner,  
 Aaron Van Patten,  
 David Burdeck,  
 James Martin,  
 William B. Teeple,  
 Joseph Nelson,  
 George Auger,  
 Stephen A. Secord,  
 John Parker,  
 Paul Noble,  
 John Clunas,  
 John Pound,  
 John Hoover,  
 John Pufferson,  
 John Beemer,  
 Hosea Van Patten,  
 Abram Beemer,  
 Daniel Birdsall,  
 Cornelius Bowen,  
 David Kinsay,  
 Joseph Johnston,  
 Jacob Neff,  
 Benjamin Perlin,  
 William Caseaddin,  
 Lewis Bowlley,  
 Henry Hoover,  
 Jacob T. Teeple,

MALAHIDE--(continued)

Frederick Miller,  
 Jacob Vanvelzer,  
 Donald M'Kenzie,  
 John Adams,  
 Abram Van Patten,  
 Andrew M'Causland,  
 Thomas Lightfoot,  
 Orange Partlow,  
 Henry Segin,  
 John Summers,  
 Hamilton M'Kenney,  
 Samuel Harper,  
 Jonathan Thompson,  
 John Vanvelzer,  
 Joseph Sanders,  
 William Young,  
 Elijah Phelps,  
 Enos Dennis,  
 Walter E. Murray,  
 Robert M'Kenney,  
 Ambrose Caswell,  
 William Teeple,  
 Ira Doolittle,  
 John C. Miller,  
 Henry Martin,  
 Amos M'Kenney,  
 Humphry Johnston,  
 Daniel Wooley,  
 John R. Summers,  
 John Lucas,  
 William Johnston,  
 Wellington Johnston,  
 Jacob Miller,  
 George B. Teeple,  
 Thomas Lockhart,  
 David M. Braiss,  
 James Linda,  
 John Van Patten,  
 Joseph Harvey,  
 Wilson Buck,  
 Harden Ellsworth,  
 Ebenezer Harvey,  
 Thomas Harkison,  
 David C. Rees,  
 Castle Ren,  
 Moses M'Connell,

MALAHIDE--(continued)

Erastus Westover,  
 Warren F. Davis,  
 John D. Brooks,  
 Leonard Cline,  
 Moses Truman,  
 Daniel Bearss,  
 Silas Prichard,  
 Jacob W. Dennis,  
 Henry Rillmer,  
 Jonathan Brooks,  
 Robert M'Clintock,  
 Isaac Esselohin,  
 Amos Bentley,  
 William Ferguson,  
 John Ferguson,  
 Kenneth Harkinson,  
 Jeremiah Vanwaggoner,  
 Charles Pettys,  
 Morris Sovereign,  
 John Sturk,  
 Philip Bertrax,  
 Arthur Rodgers,  
 Nathan L. Wood,  
 Harvey Whencroft,  
 Edward Beckett,  
 Bradford Corless,  
 James Rodgers,  
 Obed Bencroft,  
 Thomas Clunas,  
 Samuel Westover,  
 Henry Tisdale,  
 Joseph M'Connell,  
 W. B. Lyon,  
 Charles Chute,  
 Nathan Lyons,  
 Edward M'Connell,  
 Reuben M'Connell,  
 Elijah Saxtol,  
 William Percy,  
 John Mann,  
 David Brooks,  
 Lewis Clarke,  
 David M'Connell,  
 Reuben Brundage,  
 Alexander Boughner,  
 William J. Egbert,

MALAHIDE--(continued)

John W. Beemer,  
 John M'Kenney,  
 David Sutherland,  
 William Taylor,  
 Samuel Harris,  
 William Leur,  
 William Davis,  
 George Bain,  
 Charles Smith,  
 George Smith,  
 William Daly,  
 Levi Bradley,  
 Reuben Johnson,  
 Daniel Davis,  
 Nelson Leek,  
 Benjamin Prichard,  
 George Silverthorne,  
 Henry Slossor,  
 Amos B. M'Kenney,  
 Russell Green,  
 Robert M'Connell,  
 Benjamin Laur,  
 Isaac Ostrander,  
 William Adams,  
 George Cottingham,  
 Myles Igrid,  
 Cyrenius Johnston,  
 Amos Whitemore,  
 Elijah Shotwell,  
 Amos G. Cranby,  
 Arthur M'Leavy,  
 William Clarke,  
 Levi Nickerson,  
 George Sturkes,  
 Reuben Adams,  
 Daniel P. Bradley,  
 Russel Brunson,  
 Hiram J. Brown,  
 Israel Thayer,  
 Thomas Edison,  
 Eli Brown,  
 Calvin Adams,  
 John Harper,  
 Francis Hughes,  
 John St. Clair,

MALAHIDE--(continued)

Judson Garrett,  
 Daniel Treadwell,  
 John Gillett,

## BAYHAM.

Alexander Saxon,  
 Reuben M. Lamb,  
 James Archey,  
 Myndart Beal,  
 Andrew Ashander,  
 Thomas Herdman,  
 William Vetch,  
 George Franklin,  
 Caleb Cook,  
 Isaac Williams,  
 George White,  
 Isaac Blandford,  
 Moses Cook,  
 Samuel Leach,  
 John Jeall,  
 John W. Wing,  
 Oliver Blake,  
 James Bentley,  
 Anthony Scaly,  
 Allen Mann,  
 Thomas M'Caul, R. O. Dunwich,  
 Charles Tabor,  
 Josiah Clarkson,  
 Isaac Titus,  
 Edmund Titus,  
 A. W. Hewitt,  
 Alexander Dupeal,  
 John Baker,  
 James Gibbons,  
 Abram Hunsbeger,  
 Jesse Sopher,  
 Isaac H. Saron,  
 Benjamin Garrett,  
 Benjamin Van Wormer,  
 Andrew Moore,  
 Peter Bartlett,  
 Andrew Neville,  
 David Davis,  
 Daws Haines,



## BAYHAM--(continued)

James Spoon,  
 John Truman, senior.  
 James Truman,  
 Daniel Caswell,  
 Oliver Hodgkins,  
 Barthm. Tempamy,  
 Silas Neville,  
 Francis Harris,  
 James M'Neath,  
 Benjamin Harris,  
 Robert Cook,  
 Oliver Wheelick,  
 Joel Turville,  
 Finlay Malcolm,  
 Daniel Malcolm,  
 John Roberts,  
 David Hatch,  
 John T. Clunis,  
 Amos High,  
 William Cheeseman,  
 Matthew Howell,  
 Henry Retzby,  
 John H. Saxon,  
 Henry R. Will,  
 John S. Nellis,  
 Joab Leach,  
 Gabriel Wright,  
 Silvester Cook,  
 Thomas Springall,  
 Thomas M'Guin,  
 Jacob Bentley,  
 Azariah Sunday,  
 Samuel Harvey,  
 Henry High,  
 John Hager,  
 Harlinda Orton,  
 John B. Blackburn,  
 Jesse Thomas,  
 David Pound,  
 Benjamin Thomas,  
 David Huzen,  
 John O. Culver,  
 Thomas Goodwin,  
 Thomas Goodwin, junior,  
 Joseph Bowis,  
 Samuel Forbes,

## BAYHAM--(continued)

John Elliot,  
 John Coyle,  
 George Teal,  
 Robert Tates,  
 William Slorey,  
 Jacob Kitchenburgh,  
 Thomas Barnes,  
 Robert Fisher,  
 George Monk,  
 Robert Ridd,  
 Levi Hatch,  
 Abram Havins,  
 William Goodrick,  
 David Sebley,  
 Andrew Chute,  
 Thomas Eddison,  
 Jesse Culess,  
 James Wanenlaugh.  
 Snow Eddison,  
 John Langan,  
 Robert Adkin,  
 John W. Marlatt,  
 John Hobson,  
 James Scanlan,  
 Thomas Dennis,  
 Obadiah Purdy,  
 Leonedas Burwell,  
 Thomas Tims,  
 James Bayley,  
 Alexander Harris,  
 Joseph Bailey,  
 Andrew Raymond,  
 Jacob Birdsele,  
 Nicholas Dupee,  
 William Moore,  
 John Thompson,  
 Robert Conchman,  
 John Echenbury,  
 Dely Hamilton,  
 James Tube,  
 John Blaney,  
 David Merrill,  
 Cospet Best,  
 Barney M'Save,  
 William Cheeseman, junior,  
 James Vincent,

*BAYHAM--(continued)*

William Wilson,  
James Carswell,  
Seled Healey,  
Levi Spoor,  
James Wilson, senior,  
James Wilson, junior,  
Alexander Moore,  
David Davis,  
David Kent,  
Thomas Emmerman,  
John Clifford,  
William Snook,

*DORCHESTER.*

Henry Edwards,  
Henry Pigott,  
Joshua Purnam,  
William Niles,  
John Gilbert,  
David Moore,  
Edward Erwin,  
John Wisner,  
Amos Bigger,  
John Tittle,  
Robert Flanning,  
William Walker,  
Stephen Allen,

(334)

Thomas Holcroft,  
William Edwards,  
Andrew M'Lern,  
John Choate,  
Christopher Choate,  
Hiram Choate,  
Richard Neil, Mosa, R. O.  
Hugh Richardson, P. C.  
Westminster.  
William Fitchett,  
David Walker,  
Jeremiah Rounds,  
John Walker,  
John G. Wells,  
Harvey Norton,  
Benjamin Willis,  
Horatio Greece,  
Joseph T. Rolph,

*DORCHESTER--(continued)*

Jonathan Wade,  
Warner Young,  
David Chamberlain,  
John Garner,  
Aaron Doane,  
Donald Kennedy,  
Jutson Sweet,  
John Swartz,  
William York,  
James Monger,  
John Gillis,  
Dennis Horseman,  
Richard Philpot,  
John Hornby,  
Robert Allen,  
Obediah Roszel,  
James Firm,  
Samuel Hern,  
Henry Lewis,  
Patrick Hern,  
James Nicholl,  
James Sage,  
James Hemcher,  
William Vice,  
William H. Wilson,  
John Dixon,  
R. L. Warren, P. C. Mosa,  
George Temple,

David Brooks,  
Jacob Cline,  
John C. Post,  
Nathan Choate,  
Joseph Brickley,  
Levi Allen,  
Benjamin Shark,  
Frederick Weiver,  
Clarke Allen,  
Archibald M'Laughlen,  
Isaac Willis,  
Robert Willis,  
Zedekiah Dance,  
David W. Finch,  
William Finch,  
John C. Deans,  
Eleazer M'Clarty,  
Frederick House,

DORCHESTER--(continued)

Samuel Smith,  
 Barnabas Hern,  
 Richard Olmstead,  
 Robert Tex  
 William Duncan,  
 Richard Dibb,  
 John Dibb,  
 W. C. L. Gill, P. C.  
   Malahide.  
 James Young, R. T.  
   Caradoc.  
 George Ralton, P. C.  
   Caradoc.  
 Thomas Scatchard, P. C.  
   Bayham.

## WESTMINSTER.

Dixie Watson,  
 James Givins,  
 John Campbell,  
 James Hunt,  
 John Scott,  
 John Elliott,  
 William Beatty,  
 John Elliott, junior,  
 Thos. Armstrong,  
 James Thompson,  
 John Grase,  
 Thomas Grase,  
 William Beatty, senior,  
 John Elliott,  
 James Race,  
 Alexander Shathy,  
 John Oliver,  
 John Somner,  
 Andrew Beatty,  
 John Walters,  
 William Beatty, senior,  
 James Beatty,  
 Thomas Beatty,  
 Thomas Hunt,  
 Robert Nicholl,  
 Andrew Fortner,  
 George Thompson,  
 Francis Jones,

DORCHESTER--(continued)

Abram Mann,  
 Jacob Hull,  
 Levi Lewis,  
 Calvin Burch,  
 Ezra D. Griffith,  
 John Haris,  
 Elliot Grase,  
 Alonzo Griffith,  
 Neman Elliott,  
 John Cummings,  
 Robert Eaton,  
 John Dale,  
 William Grase,  
 John Grant,  
 James Uptigrove,  
 William Routledge,  
 John Smith,  
 William Doby,  
 Robert Frank,  
 James Ourey,  
 John Shore,  
 Edward Teeple,  
 Walter Biddulph,  
 James Trigger,  
 Samuel Jarvis,  
 Daniel Whitehead,  
 Edward Teeple,  
 Ezekiel Caldwell,  
 Walter Biddulph,  
 James Trigger,  
 Samuel Jarvis,  
 Daniel Whitehead,  
 Edward Stammond,  
 William Ourey,  
 David Norton,  
 Edward Beatty,  
 James Beatty,  
 Lewis Birch,  
 Alexander Wick,  
 Abraham Cook,  
 William Taylor,  
 Coonrod Christie,  
 Andrew Banghart,  
 Jesse Bennett,  
 William Little,  
 Samuel Hungerford,

## WESTMINSTER--(continued)

Ira Clark,  
 Henry W. Bennett,  
 Wm. Sage,  
 Gardner Merritt,  
 William Cooper,  
 Henry Germain,  
 John Bold,  
 W. Norton,  
 Cornelius Sutherland,  
 Niman Elliott, senior,  
 George Laidlaw,  
 Thomas Aikins,  
 Gideon Bostwick,  
 William Scott,  
 Robert Patten,  
 John Stevens,  
 John Shaver,  
 Levi Myrick,  
 James M'Laren,  
 John Smith,  
 Nelson Norton,  
 George Murray,  
 Adam Murray,  
 John Kay,  
 Burris Shaver,  
 David Rymal,  
 John Nicholl,  
 James Nicholl,  
 James Young,  
 Jacob Dale,  
 William Schram,  
 Samuel S. Sumner,  
 Charles Montague,  
 David Smith,  
 Joseph Mann,  
 George Routledge,  
 James Reynolds,  
 Robert Carfrae,  
 John Estle,  
 John Glendenning,  
 David Maine,  
 William Wheeler,  
 Richard Thomas,  
 George Duncan,  
 Wm. Dawson,

## WESTMINSTER--(continued)

John Salter,  
 John Frank,  
 Daniel Norton,  
 John N. Hunt,  
 David Dale,  
 Barnabas Shaver,  
 Samuel Riddle,  
 Ezekiel Shaver,  
 John Wilkins,  
 Robert Shaver,  
 Laurence Ramez,  
 Robert Shannon,  
 James Greer,  
 Benjamin Kilburn,  
 Jonathan Rodgers,  
 William Armstrong,  
 Jacob Dale,  
 Daniel Dingman,  
 Samuel Dale,  
 Alexander Maurice,  
 Joseph L. Odell,  
 Maurice Kelly,  
 James Nicholls,  
 Alexander Anderson,  
 James Elliott,  
 William Patterson,  
 Francis Nicholl,  
 Martin Petit,  
 William Adair,  
 Peter Patrick,  
 John Patrick,  
 David Patrick,  
 Peter Carroll,  
 James Bryan,  
 Albert L. Odell,  
 John Odell,  
 Donald Fraser,  
 James Beattie, senior,  
 Peter M'Grigor,  
 Amos J. Davis,  
 William M'Pheras,  
 William Bell,  
 Delisle Teeple,  
 James Halden,  
 Jacob Baldinger,



WESTMINSTER--(continued)

Perrin Stevens,  
 Jesse Cornwall,  
 James Matthew,  
 Wm. Wood,  
 George King,  
 William Weston,  
 Thomas James,  
 Aaron Kilburn,  
 Dennis O'Beirn,  
 Daniel Matthew,  
 John B. Askin,  
 John Hart,  
 Alexander Oliver,  
 Peter M'Clary,  
 George Washington,  
 Thomas M'Millan,  
 James Dunbar,  
 Porter Stevens,  
 George Stevens,  
 Robert Auckland,  
 Andrew Alson,  
 Robert Murray,  
 William Brown,  
 Osborn Barnes,  
 James M'Dermot,  
 Archibald Riddle,  
 William A. Sumner,  
 Henry Van Buskirk,  
 Nathaniel Loup,  
 John Shenick,  
 George Auckland,  
 Alexander M'Donald,  
 James Nixon,  
 Ira Sumner,  
 Simeon Hart,  
 Peter Hartwell,  
 Nathan Griffith,  
 Abram Patrick, junior,  
 Hiram Crawford,  
 William Bryant,  
 Walter Walters,  
 Thomas Sumners,  
 John Duncan,  
 Peter Swartz,  
 Shrubal Nichol,  
 Jacob Swartz,

WESTMINSTER--(continued)

Anthony Hick,  
 Charles Bears,  
 Wm. M'Luly,  
 Frederick Lound,  
 James Baynard,  
 Andrew Jackley,  
 Bartholomew Swartz,  
 Jacob B. Swartz,  
 Charles Archer,  
 Thomas Archer,  
 Josiah Meadows,  
 John Sutherland,  
 William Miller,  
 William A. Vail,  
 Daniel Eaton,  
 James M. Babbitt,  
 Jesse Wilkins,  
 John Skine,  
 John Talbot,  
 Samuel Biddale,  
 William W. Gray,

## ADELAIDE.

David M'Pherson,  
 George B. Iver,  
 Robert Pegley,  
 Robert Johnson,  
 Bablestu M'Ihuam,  
 J. B. Winlow,  
 Duncan Curry,  
 Francis Enrick,  
 Martin Carty,  
 Hiram Dell,  
 John Wiley,  
 Adam Dell,  
 Thomas Cooper,  
 John Bulgen,  
 Busnet Dell,  
 Henry Frank,  
 George Dodd,  
 Robert Grifton,  
 Doram Frank,  
 William Stockdale,  
 William Roundell,  
 Charles Naplein,

*ADELAIDE--(continued)*

Richard M'Cutcheon,  
 Thomas Caddy,  
 Bernard Knight,  
 Arthur M'Callum,  
 Richard Windsor,  
 James Murray,  
 R. P. Foote,  
 Bernard M'Guise,  
 Anthony Preston,  
 Joseph Buttery,  
 Charles Preston,  
 Thomas Burgess,  
 Timothy Cann,  
 Thomas Roundle,  
 John Arthurs,  
 John Keys, senior,  
 Hugh Eckles,  
 Samuel Morron,  
 James F. Clarke,  
 Thomas M'Guin,  
 George Buttery,  
 Daniel Ingrave,  
 Joseph Whittby,  
 William M'Clutchy,  
 John Buttery,  
 William Boulton,  
 Jeremiah Baker,  
 Matthew Wilkius,  
 Joseph Brady,  
 Henry Font,  
 Jonathan Miller,  
 William Holden,  
 James Thompson,  
 Thomas James,  
 William Randle,  
 Walter M'Kenzie,

(335)

John Freeman,  
 John Cully,  
 Oliver Ivers,  
 Michael Griffith,  
 John Small,  
 James Foster,  
 Michael M'Donough,  
 H. D. Woods,

*ADELAIDE--(continued)*

Samuel Paterson,  
 Samuel Munroe,  
 Thomas Gately,  
 John Morgan,

*DUNWICH.*

Daniel M'Intyre,  
 Thomas G. Coyne,  
 Archibald Connell,  
 Peter Wilson,  
 James Crof,  
 Mosa Willey,  
 Henry Coyne,  
 William Lumley,  
 James Lumley,  
 William Pierce,  
 Stephen Backus,  
 Alexander M'Callum,  
 Archibald Graham,  
 Duncan Peterson,  
 Niel M'Gregor,  
 William Taylor,  
 Daniel Curry,  
 Angus Campbell,  
 George Gunn,  
 Thomas Petit,  
 Andrew Backus,  
 Neil M'Intyre,  
 Alexander M'Phail,  
 Daniel M'Pherson,  
 John M'Intyre,  
 James Philpot,  
 Duncan M'Callum,  
 Leslie Peterson, Esquire,  
 Meredith Corn,  
 Angus Gunn,  
 Gilbert Taylor,  
 William Bannerman,  
 Archibald M'Killup,  
 Duncan Walker,  
 John Galbraith,  
 John M'Clane,  
 Hugh Gunn,  
 John Pierce,  
 John Pierce, junior,

*DUNWICH--(continued)*

Daniel M'Gugan,  
David Clay,  
Joseph Lodge,  
Archibald Patterson,  
James Black.

*MOSA.*

Thomas Shaw,  
James Gardner,  
John Ward,  
John Coyne,  
James Gibb,  
Samuel Fleming,  
George Fleming,  
Archibald Miller, R. O., Ekfrid,  
William Grace, P. C. do  
Thomas Kirkpatrick,  
James Gibson,  
Daniel Harley,  
John Edwards,  
Duncan King,  
Angus Stewart,  
Jacob Ingles,  
George Hatelie,  
Cornelius Degraw,  
James York,  
Christopher Hendershot,  
Donald King,  
William Sampson,  
Talbot St. John Ward,  
George Simpson,  
William Weeks,  
Patrick M'Grigor,  
Malcolm Downy,  
Joseph Ward, senior,  
John Becton,  
Marvu D. Call,  
John M'Jarvis,  
Donald Ferguson,  
Samuel Bartlett,  
Hiram Dolph,  
James Banning,  
John Simpson,  
Zera Gilbert,  
Robert Thompson,

*MOSA--(continued)*

Joseph W. Walker,  
John Dykes,  
Duncan M'Rae,  
Abram Francis,  
George Curry,  
Easbon King,  
Joseph Walker,  
John Jones,  
James Campbell, R. O., Aldboro,  
Ewen M'Kinley, P. C., do  
William Gardner,  
Robert Burwell,  
James Edwards,  
Elijah Davis,  
Robert Sowden,  
Elias Anderson,  
John Hale,  
John Davis,  
Adam Corneil,  
Alexander D. Ward,

*EKFRID.*

Peter Phillips,  
Joseph Siddell,  
Malcolm M'Alpin,  
Daniel Lockwood,  
Duncan M'Lean,  
Patrick Hough,  
George Philips,  
John Campbell,  
Francis Elliott,  
William Dobey,  
Donald M'Intaggart,  
John M'Laughlin,  
James M'Alpine,  
Malcolm M'Intyre,  
Malcolm Gilbreath,  
Hugh Brodie,  
Archibald M'Dougald,  
Alexander M'Kellar,  
Malcolm Murray,  
John Fletcher,  
Alexander M'Dougald,  
Andrew Coltherd,  
James Ingersoll, of Ingersoll,

*EKFRID.--(continued)*

Thomas Thompson, R. O.,  
 Adelaide,  
 David M. Thompson, P. C.,  
 Adelaide,

*YARMOUTH.*

Joel P. Doan,  
 Abraham Huff,  
 John M'Kenzie,  
 Frederick M'Lean,  
 David Merrill,  
 Wilson Reese,  
 James Stokes,  
 Jarvis Merrill,  
 Samuel Hughes,  
 Jesse Kipp,  
 Isaac Minor,  
 Edward Morgan,  
 John M'Kay,  
 Donald M'Intosh,  
 Simon Westlake,  
 Stephen Wilcox,  
 Jacob Pace,  
 John Kipp,  
 Andrew Miller,  
 George Lowton,  
 Duncan Wilson,  
 Lewis Rowland,  
 James W. Drake,  
 John Chace,  
 Joseph Lewis,  
 George Miller,  
 Joseph Eastbrook, junior,  
 George Rogers,  
 Abraham Newcomb, junior,  
 William Shore,  
 John Gilbert,  
 Amos Jeffry,  
 Matthew M. Hutchins,  
 David Mills,  
 Hiram B. Smith,  
 D. W. Newcomb, senior,  
 D. W. Newcomb, junior,  
 Thomas Spragg,  
 John Philan,

*YARMOUTH--(continued)*

Jonathan Slater,  
 Daniel Cline,  
 Edward Mihill, senior,  
 John Harvey,  
 Hiram Kipp,  
 David Pace,  
 Nelson Wilson,  
 William P. Secord,  
 Mathew Gilbert,  
 Samuel Cob,  
 William Linton, senior,  
 James M'Cready,  
 Henry House,  
 Andrew Davis,  
 Benjamin Secord,  
 James M'Cihill,  
 Thomas Hegdon,  
 Jacob Misner,  
 Charles Crane,  
 Wilson Ayer,  
 Frederick Couse,  
 James Ferguson,  
 George Minor,  
 James Copeland,  
 William Mihill,  
 S. H. Thompson,  
 Joseph Stephenson,  
 James Fitzsimons,  
 Elias Moore, junior,  
 James C. Crysler,  
 William Doan,  
 John Oil,  
 Joseph M'Roberts,  
 William Smith,  
 William Scott,  
 Michael Calcott,  
 Edward Mahon,  
 Daniel Black,  
 James Tomlinson,  
 John Campbell,  
 Thomas Colkett,  
 Joseph Easterbrook,  
 Henry Bostwick,  
 Joseph M. Moore,  
 Edward Morgan, junior,  
 Aaron Whitsell,



YARMOUTH--(continued)

Elijah Graves,  
 Benjamin Mann,  
 Thomas Dangerfield,  
 Robert Kearns,  
 William Hillis,  
 William Kissane,  
 James Alexander,  
 John M'Dowell,  
 Squire Johnston,  
 Anderson Montross, junior,  
 Edward Mihill, junior,  
 Randolph Johnston,  
 Jessommon Rapelje,  
 Horatio Johnston,  
 Thomas Darling,  
 Edward Warren,  
 Thomas Miller,  
 David Hunter,  
 Francis Cutler,  
 John Cravin,  
 James Brown,  
 Jehial Mann,  
 David B. Rapelje,  
 Thomas Thomas,  
 James Jolly,  
 Jacob B. Thompson,  
 John Edmondson,  
 Edmond Westlake,  
 William Vasey,  
 Cyrus Thayer,  
 John Moore,  
 John Jones,  
 Jacob Zavitz,  
 Thomas Reeks,  
 George Doan,  
 John Taylor,  
 John Walker,  
 John Ambridge,  
 John Hillis,  
 John Lanning,  
 John Curtis,  
 Moses Millard,  
 John Jones,  
 Matthew Tisdale,  
 Esbon Noble,  
 Charles Knight,

YARMOUTH--(continued)

Brazile Samson,  
 Seth Preffer,  
 Joseph Tomlinson,  
 John T. Doan,  
 John Ferres,  
 John Piper,  
 Marshall T. Moon,  
 George Cohill,  
 William Smith,  
 Henry Black,  
 George Mills,  
 Joseph Dott,  
 George A. Caugbell,  
 Elijah Morey,  
 Allen M'Caul,  
 Alexander Martin,  
 Hugh Douglass,  
 William Yorke,  
 John M'Baine,  
 William Parker,  
 Leonard Freeman,  
 Joseph Martris,  
 James Martris,  
 William Martris,  
 Richard Misner,  
 Lindley Moore,  
 Daniel Mann,  
 Samuel Cole,  
 William Woodman,  
 Charles W. Conrad,  
 E. E. Duncombe,  
 Hugh Wade,  
 James Wade,  
 John Couse,  
 Garrett Oaks,  
 George Southwick,  
 Hugh Cazmell,  
 Charles Colquhoun,  
 Asa Howard,  
 Samuel York,  
 Elias Moore, senior,  
 Jonathan York,  
 John Thomas,  
 Alvris York,  
 Archibald M'Intyre,  
 Thomas Hodge,

## YARMOUTH--(continued)

Thomas Allen,  
 George Wegg,  
 Joel Lewis,  
 David Parish,  
 John Wilson,  
 David Brown,  
 Israel L. Doan,  
 Septimus Davis,  
 Adam Hope,  
 John Black,  
 Jonathan Doan,  
 Joseph Albertson,  
 William Ross,  
 Benjamin C. Doan,  
 William Hutchinson,  
 Jonas Barnes,  
 Richard Lanning,  
 William Barnes,  
 William Little,  
 Joseph Barnes,  
 Joseph Mitchell,  
 James Tucker,  
 James H. Smith,  
 Garrett Smith,  
 Solomon Thompson,  
 James T. Curtis,  
 John Stockton,  
 Peter Doan,  
 John Walthew,  
 Wm. Summers,  
 Richard Davis,  
 James W. Guest,  
 Lauchlan Weir,  
 Anderson Montross, jr.  
 John White,  
 John Shotwell,  
 Walter Lincoln,  
 John Killistom,  
 Henry Lincoln,  
 George Heathcote,  
 H. W. Groughberger,  
 Luther Teeple,  
 Peter Caugheil,  
 Isaac Vansickle,  
 William Harvey,  
 Archibald Jones,  
 Charles James Hope,  
 Asa Bullock,

## YARMOUTH--(continued)

Hosea Baker,  
 John Leane,  
 Joseph Terrill,  
 O'Neil Close,  
 James Mills,  
 Daniel Curtis,  
 Jesse Bagley,  
 George Donn,  
 Finlay Grant,  
 D. F. York,  
 George Cline,  
 Edward Teeple,  
 James M'Connell,  
 John Mills, senior,  
 Alexander Gunn,  
 James Secord,  
 Minor Barnes,  
 Anson Paul,

(336)

Isaac Mills,  
 Samuel Martin,  
 Samuel Minard,  
 James Morton,  
 Daniel Brodie,  
 John Sutton,  
 William Parker, junior,  
 Thomas Clements,  
 George A. Couse,  
 Abraham House, senior,  
 Samuel Hight,  
 John A. Akins,  
 Thomas Penhale,  
 James Paul,  
 Thomas Drake,  
 Mirrill Sayre,  
 Joseph B. Nevill,  
 Abraham House, junior,  
 James E. Vale,  
 D. W. Stockton,  
 John Mills, junior,  
 William Ostrander,  
 Jacob Ostrander,  
 Enos Carroll,  
 Joseph Copeland,  
 Moses Hughes,  
 Donald M'Lean,  
 John Primyron,  
 Clavin Russ,

YARMOUTH--(continued)

Peter Ferguson,  
 James Haight,  
 John Vansickle,  
 Edward Pratt,  
 George Teeple,  
 John M'Callum,  
 Barnabas Lewis,  
 William Thompson,  
 John Preffer,  
 David Brush,  
 St. John Weir,  
 Luther Lincoln,  
 Edward H. Maloy,  
 George Philmon,  
 James Brown,  
 John M'Neil,  
 John Beaupré,  
 Lyman Mann.

CARRADOC.

Isaac B. Burwell,  
 John Sutherland,  
 James M'Kerdy,  
 Duncan M'Kellar,  
 Charles Bateman,  
 William Livingston,  
 Robert Bateman,  
 Marvel White,  
 William Sutherland,  
 William Tukner,  
 Thomas Pullen,  
 James Sutherland,  
 Alexander Sutherland,  
 Donald Campbell,  
 Malcolm Campbell,  
 John Lee,  
 William Wellman,  
 Daniel Getley,  
 John Parker,  
 James Coulter,  
 Manley Dixon,  
 John Oyleneie  
 Peter Kerstead,  
 Alexander Orr,

CARRADOC--(continued)

James Fisher,  
 Donald M'Gugan,  
 Neil M'Gugan,  
 William Elliott,  
 George Young,  
 Thomas Lantrey,  
 James Adam,  
 Joseph Wellman,  
 Joseph Cooley,  
 Levi Warner,  
 Alexander Cowan,  
 Amos Kingstead,  
 Hermonis Forbes,  
 William English,  
 Archibald Campbell,  
 Alexander Campbell,  
 Duncan M'Dougald,  
 William Toles,  
 Walter Dowling,  
 Thomas Holmes,  
 Hercules Burwell,  
 Joshua Applegarth,  
 James Fenwick,  
 Richard Fenwick,  
 Samuel Sewell,  
 Harvey Butler,  
 David Smith,  
 William Harrison,  
 John Lloyd,  
 Joseph Seabrook,  
 George O. Challoner, R. O. Lobo.  
 Eph. J. Parke, P. C., do  
 Benjamin Bartlett,  
 Archibald Campbell,  
 John Campbell,  
 John Campbell, junior,  
 Malcolm Campbell,  
 Archibald Campbell,  
 John Bateman,  
 John Harvey,  
 Duncan M'Lellan,  
 Duncan M'Callum,  
 Joseph Cawthop,  
 Robert Thompson,  
 Benjamin Lockwood,

CARRADOC--(continued)

William Bateman,  
 Peter Sinclair,  
 Malcolm M'Kellar,  
 Duncan Sinclair,  
 John Bateman,  
 Silvester Applegarth,  
 Abijah Martin,  
 Jeremiah London,  
 John Vrooman,  
 Gregory Allen,  
 Malcolm Campbell,  
 Ebenezer Hall,  
 Parmanes Martin,  
 William Bowman,  
 Duncan M'Lean,

## DELAWARE.

Gideon Tiffany,  
 John Ulrick,  
 Alanson Herrington,  
 Benjamin Stephens,  
 Dean Tiffany,  
 Frederick Tiffany,  
 John Johnston,  
 John Rawlings,  
 Samuel P. Airs,  
 William Curling,  
 Langdon Case,  
 David Johnston,  
 John Holden,  
 Otis Tiffany,  
 Albert Tiffany,  
 Isaiah Gustin,  
 Samuel Stephen,  
 Archibald M'Laughlin,  
 John Parker,  
 William Hodgman,  
 Timothy Killburn,  
 William Simmons,  
 Timothy Kilburn,  
 Joseph Steinhoff,  
 White Hulbert,  
 Thomas Summers,  
 Daniel Springer.

## LONDON.

Christopher C. Coombs,  
 Joseph Draher,  
 Henry Collins,  
 Hiram Miracle,  
 George Webster,  
 Thomas Telphin,  
 Aaron Telphin,  
 Moses Morden,  
 Thomas English,  
 William Oliver,  
 Edward Charlton,  
 Daniel Woods,  
 Isaac Webster,  
 ----- Gourlay, P. C. Southwold,  
 Wm. Hodgins,  
 Wm. Darley,  
 Edward Matthews,  
 John Coote,  
 Robert Coote,  
 George Belton,  
 Henry Whitting,  
 Henry Rigney,  
 James Mitchell,  
 James Dagg,  
 Robert Parkinson,  
 Charles Goulding,  
 Noble English,  
 Richard Meedam,  
 John Clarke,  
 Thomas Morgan,  
 David Rosser,  
 John Rosser,  
 Albert Rickman,  
 Nathan Rosser,  
 Thomas Rosser,  
 Henry Webb,  
 Alexander Gunn,  
 David Brazill,  
 James M'Donald,  
 John Armstrong,  
 Hugh Barclay,  
 James Rosser,  
 Joseph Elson,  
 James Cosort,  
 Charles Coombs,



LONDON--(continued)

Elijah Williams,  
 John H. Hart  
 Anthony Hughes,  
 Charles Henry,  
 Henry O'Neil,  
 Thomas Haskett,  
 John O'Neil,  
 Joseph Hughes,  
 William Nellis,  
 John Nellis,  
 Thomas Kessack,  
 John Wood,  
 William Shipley,  
 William Cavy,  
 Archibald M'Pherson,  
 Archibald M'Farlane,  
 Isaac M'Connell,  
 Ephraim Airs,  
 John Wheaton,  
 George Ashwell,  
 Michael Flood,  
 Thomas Robottom,  
 Archibald M'Iltagy,  
 Thomas Ryan,  
 John Stephenson,  
 Thomas Hodgins,  
 Henry Hodgins,  
 Walter Westley,  
 James Shoebottom,  
 Wm. Harrison,  
 Charles Tucker,  
 William Ashbury,  
 Thomas Routledge,  
 Joseph Routledge,  
 Henry Routledge,  
 Thomas Smith,  
 Donald M'Donald,  
 Daniel Davis,  
 Thomas Flood,  
 Andrew M'Cagetill,  
 Thomas Hornby,  
 William Ramsey,  
 Duncan M'Kensie,  
 William R. Talbot,  
 George Ralph,

LONDON--(continued)

Duncan Anderson,  
 Anthony Pegley,  
 Joseph Tukes,  
 William Hodgins,  
 Donald Bartley,  
 Joseph M'Griffin,  
 William M'Griffin,  
 William Donaldson,  
 William Gain,  
 Duncan Forbes,  
 James Rock,  
 John Noble,  
 John Styles,  
 James Pond,  
 John Pegler,  
 Dudley Merrills,  
 Philip Matthews,  
 Thomas Shoebottom,  
 William Brossham,  
 Joseph Jane,  
 Morris Jane,  
 Wm. Gray,  
 William M'Millan,  
 Norman Fish,  
 John Matthews,  
 Thomas Hodgins,  
 Thomas H. Ball,  
 John Caldwell,  
 George Hodgins,  
 John Willis,  
 William J. Odell,  
 Joseph Colston,  
 Thomas Colbert,  
 Robert Gray,  
 William Shoebottom,  
 Thomas Dickinson,  
 James Farley,  
 William Hale,  
 Nathan Jacobs,  
 Henry Scott,  
 William Wilson,  
 Archibald Orr,  
 Thomas Hodgins,  
 Joseph Brooks,  
 William Gleeson,

LONDON--(continued)

Ralph Deacon,  
 John Deacon,  
 John Evans,  
 William Hodgins,  
 Michael Redman,  
 Thomas Smith,  
 James Fraser,  
 John Shipley,  
 John Castor,  
 Simeon Merrill,  
 James Baxter,  
 Edward Talbot,  
 John O'Neil,  
 Thomas Lee,  
 William Elliott,  
 Jeremiah Robson,  
 Ambrose Powell,  
 John Turner,  
 James O'Brien  
 George Murray,  
 James Swazze,  
 William Taylor,  
 Henry Fergusson,  
 Hugh M'Bain,  
 George Buley,  
 John Lifton,  
 Bartlett Lifton,  
 Robert Ralph,  
 Samuel Peters,  
 Thomas Anderson,  
 William M'Roberts,  
 John Bird,  
 John Hadley,  
 James Ferguson,  
 Patrick Smith,  
 John Ferguson,  
 Andrew Taylor,  
 John Faxters,  
 Joseph Percival,  
 John Hayes,  
 Andrew Robson,  
 Thomas Shoebottom, jun.  
 John Douglas,  
 Benjamin Higgins,  
 John Armstrong,  
 John Littlewood  
 William Armitage

LONDON--(continued)

Robert Jackson,  
 Croel Wilson,  
 John Robson,  
 William Robson,  
 Samuel Paisley,  
 David Walden,  
 Charles Dickinson,  
 John Fitzgerald,  
 William Geary,  
 Charles Madden,  
 David Boug,  
 Thomas Hodgins,  
 Peter Gibson,  
 James Williams,  
 Stephen Powell,  
 Isaac Carling,  
 Richard Gough,  
 Andrew Scott,  
 David Rickmann,  
 Edward Dunn,  
 James Gaffney,  
 John E. Walden,  
 James M'Stay,  
 W. J. Geary,  
 George Gaffney,  
 George W. Bailiff,  
 John Andell,  
 John Wells,  
 George Fitzgerald,  
 William Warner,  
 Edward Green,  
 Silas Warner,  
 John M'Intosh,  
 Felix M'Laughlin,  
 William O'Brien,  
 George Carter,  
 George Smith,  
 Robert Webster,  
 John M'Leod,  
 George Kennedy,  
 Robert Molters,  
 Richard Stephens,  
 James Moneghan,  
 Thomas Lewis,  
 James Smibert,  
 William Whitley,

LONDON--(continued)

William Jackson,  
 Asa K. Warner,  
 W. Williams, junior,  
 Thomas Harrison,  
 William Bradshaw,  
 Isaiah Watson,  
 Robert Keys,  
 William Fuller,  
 John Stephenson,  
 Jacob Loandrick,  
 Ebenezer Farrell,  
 Richard L. Talbot,  
 Richard Talbot, junior,  
 Christopher May,  
 John Jennings,  
 Hugh Stephenson,  
 John O'Flinn,  
 William Johnston,  
 John D. Hodgins,  
 John Shoebottom,  
 Jacob Fralick,  
 William Lindsay,  
 William Calvert,  
 Daniel Munro,  
 David Johnston,  
 Joseph Tower,  
 John M'Leod,  
 Alexander M'Donald,  
 George Routledge,  
 John Morden,  
 John Morden,  
 Thomas Packenson,  
 John Smith,  
 James M'Roberts,  
 Joseph Percy,  
 John O'Brien,  
 Robert Robson,  
 John Stephenson,

LONDON--(continued)

James Grant,  
 John Noble,  
 William M'Mahon,  
 Solomon Munro,  
 Thomas Paine,  
 William Powers,  
 George M'Cormick,  
 James Jackson,  
 William Gray,  
 George Kennedy,  
 James Coole,  
 James Hixon,  
 George M'Mahon,  
 Cason M'Leod,  
 Joseph O'Brien,  
 Hayden Waters,  
 William Evans,  
 William Guest,  
 David M'Connell,  
 Thomas Jackson,  
 Edward Bullock,  
 Samuel Cliffe,  
 Thomas Webb,  
 Philip Matthews,  
 Benjamin Matthews,  
 George Mitchell,  
 Thomas Carling,  
 Edward Shipley,  
 John Hodgins,  
 John Shoebottom,  
 John Fralick,  
 Francis Lewis,  
 Benjamin Lewis,  
 Alexander Cameron,  
 Thomas Brown,  
 Alexander Griffith,  
 Caleb Griffith,  
 Nelson Griffith,  
 Andrew Griffith.

O. Hammond.

Ordered, That the Petition of Oliver Hammond, of Springfield, in the township of Toronto, in the Home district, be referred to the Select Committee, to which was referred the Petition of J. H. Maitland and J. C. Becket, of the Canada Sunday School Union, praying that measures be adopted to establish a cheap and uniform rate of Postage, and other references.

Agriculture,  
Upper Canada.

*Mr. Webster, from the Select Committee, appointed to bring in a Bill in accordance with the resolution of this House, of yesterday, that it is expedient to grant a sum not exceeding two hundred and fifty pounds, for every district in Upper Canada, for the encouragement of Agriculture and Agricultural societies, presented to the House a Bill for the encouragement of Agricultural societies and Agriculture in Upper Canada; which was received and read for the first time, and ordered to be read a second time, on Monday next.*

Crown, Clergy  
and School  
Lands.

*Mr. Merritt, from the Select Committee, appointed to inquire into the present method of disposing of the Crown, Clergy, and School Lands; the amount collected and paid from year to year into the Public Revenue, or any other fund, from the proceeds thereof; expenses attending the same, and from what fund paid, including the receipt and expenditure of the Territorial Revenue, with an instruction to the said Committee, presented to the House the Report of the said Committee; which was again read at the Clerk's table.<sup>7</sup>*

*(For the said Report, see Appendix N.N.)*

MR. MERRITT ... stated that it was his intention to refer it to a committee of the whole on Thursday next. But it was his intention, on this occasion, to state what was the scope of this Report. In the first place, it showed the quantity of land originally belonging to the Crown, and how it had been disposed of; the quantity since purchased from the Indian Tribes; and what was the quantity now on hand, and the revenue derived therefrom; the method of collection; and what would be the result of the present system. In Upper Canada, in 1837, a law was passed, placing a value of 3s. 8d. an acre, upon U. E. rights, with the intention of preventing the sale of free grants, and it was pretended that it would attain that object. He had objected to that measure, but the strong influence in the House, overpowered his opposition, and the Bill became a law, and the result would be found in the large amount of money it had cost the country. In 1841, another law was passed valuing these lands at 4s. per acre, and scrip was opened at that rate, which had the effect of exchanging saleable lands for such as were not saleable. The expenses of the Crown Lands Department had been enormous, and had not only swallowed up all the revenue arising from the Public Lands, but saddled the country with a debt of £6000 per annum to the Indian Tribes. The report contained an account of all the property held by the Crown in both Upper and Lower Canada. It originally amounted to thirty-five millions of acres, of this beyond the lands to the University of King's College, and the University of Upper Canada, not one acre had been given to common schools for Educational purposes, and yet all that was left, was about one million and a half of acres, and



out of that there was scrip to the amount of £160,000 to be deducted. When this claim was satisfied, there would be but little left, and he therefore wished to call the attention of the Administration to immediate action upon it, that the remainder might be saved for the education of youth. This was not an idea which originated with himself, but was taken from the practice of other countries. The State of Connecticut had at an early period appropriated the whole of its lands for educational purposes, and the consequence was that every child was educated in that State, and it possessed an available fund of \$2,000,000. The State of New York, had also applied its lands to the same purpose in 1823, since which time it had paid for school teachers \$1,000,000; 709,000 children had been educated, the school libraries contained 1,038,000 volumes of books, and it had also a reserve fund of \$298,000. Such had been the result of the appropriation of lands, which in this colony had been wasted without benefit to any one. The Committee unanimously recommended that the remnant of the Crown Lands should be now appropriated for educational purposes; such an appropriation was a measure not only of justice, but of sound policy. There existed throughout Upper Canada a feeling of exceeding dissatisfaction, that there had not been such an appropriation in the first instance for the benefit of Common Schools, and the measure now recommended would do away with that feeling, and go far to reconcile the people to those appropriations which had been made for Universities. He trusted that the Government would this session bring in a bill calling in all outstanding scrip during the next year, and to devote the remaining lands to the purposes recommended in the report.<sup>8</sup>

(337)

*Ordered, That the said Report be committed to a Committee of the whole House, on Thursday next, and that it be then the first order of the day.*

DR. DUNLOP gave his honble. friend great credit for the pains and labour which he had bestowed upon this Report, and the very creditable manner in which he had performed the duty, in spite of the difficulties he had to encounter, and the obstacles thrown in his way. It appeared from the Report that about thirty-three millions of acres of land had been disposed of, but it was not known what had become of the money. The only account that could be rendered of it was like the return made by the Sheriff of the Western District, it was "non comeatibus in swampo." The Canada Company had to his knowledge paid during the last few years, £295,000; and he suspected that the whole amount paid by it was not far short of £350,000. He asked where it was - and ((the)) echo answered where! A large proportion of it had been paid to the Hon. J. H. Dunn, the late Receiver General, but it had all vanished away, gone with the last winter's snow, and left not a wreck behind. The balance was in fact what our friends on the other side of the line 45°

declared to be the minutest appretiable (sic) quantity, that was to say the little end of nothing whittled down. Not only had the Province lost a sum which would have gone far towards extinguishing the Public Debt, but it was impossible to tell what had become of it. Under these circumstances, as that House was the purse holder of the Province, it ought to look to its purse and see where the hole was. They ought to find out who had got it; there could not be a doubt that the public departments were all immaculate, as all Public Departments always were, like the Churches of Rome and England, the one of which could do no wrong, and the other never did anything wrong. Without wishing to excite the virtuous indignation of the Public Departments, he certainly would like to know where this money had gone to; not that he expected ever to get any of it, but it would be very amusing, and moreover a sort of satisfaction, to know what had become of this one item of £350,000. The country would no doubt take the satisfaction of its curiosity in this one item as something in the shape of a compensation for its ignorance in regard to the rest. It also appeared from the investigation, that the expenses of collection of the present revenue from lands was £43 per cent per annum, exclusive of the other expenses of the department; and although he did not doubt that this was all quite right, for he knew that "Brutus was an honorable man," yet he must confess that he would like to see a little less expensive plan adopted. There used to be formerly in France certain persons called "Fermiers Generaux," to whom the public revenue was let yearly; they had to pay a certain sum to the Treasury, and were allowed to screw as much as they could out of the people. Now, he would like to see this barbarous custom revived in Canada, for he conceived that it would make a very considerable saving to the country, for although these Fermiers might make fortunes, build palaces, and live like Princes, yet they would have something for the Province, and not ask us to pay the expenses of their offices after they had swallowed up the whole of the revenue. But under existing circumstances not only was all the revenue arising from Public Lands gone, but the Province was saddled with a debt of £6,000 per annum to be paid to the Indians. He considered that it was high time that the attention of the people should be called to this state of affairs, and he should therefore move that 2,000 copies in French and the same number in English of this report should be printed for circulation in Upper and Lower Canada.<sup>9</sup>

MR. BALDWIN said, that so far as related to the conduct of himself and colleagues in this respect, while they held office, he was prepared to enter upon its defence, at any time. He had himself endeavoured for years to overthrow the system which had produced these evils, and to place the Territorial Revenue under the control of those who were responsible to the people for its application.<sup>10</sup>

MR. MERRITT said that he had met with no obstacle in the different departments in which he had prosecuted his enquires, but on the contrary

every disposition to facilitate them.<sup>11</sup>

MR. ATTORNEY GENERAL DRAPER said, that he freely admitted that the general management of the Crown Lands Department had not been satisfactory; but it must be remembered that these great evils had occurred before the passage of the Act which made the head of that department responsible to the people. He had before the Union moved for a Committee of inquiry into this matter, but it was refused by the Parliament of Upper Canada.<sup>12</sup>

MR. MORIN said, that the money arising from the Public Lands had been under the control of the Governor, and had been squandered before the Union in Upper Canada.<sup>13</sup>

The Learned Speaker ((SIR ALLAN MACNAB)) ... suggested that the report should be concurred in before it was ordered to be printed<sup>14</sup> .

MR. MOFFATT opposed the printing of 2,000 copies<sup>15</sup> .

(337)

*Mr. Dunlop moved, seconded by Mr. Dickson, that one thousand copies of the said Report, be printed in each of the English and French languages, for the use of the Members of this House.*

*The Honourable Mr. Moffatt moved, in amendment, seconded by Mr. Macdonald, of Cornwall, that the words, "one thousand," in the said motion, be struck out, and the words, "five hundred," substituted.*

Crown, Clergy  
and School  
Lands.

*The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.*

*The question being then put on the main motion, as amended, the House divided thereon, and the names being called for, they were taken down, as followeth:--*

YEAS.

Armstrong, Berthelot, Bertrand, Chabot, Chauveau, Christie, DeEleury, Desainier, Attorney General Draper, Duggan, Ermatinger, Foster, Greive, Hale, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonell of STORMONT, M'Connell, Méthot, Moffatt, Morin, Murney, Petrie, Robinson, Sherwood of BROCKVILLE, Stewart of PRESCOTT, Taché, Williams, and Woods.--(35.)

NAYS.

Baldwin, Brooks, Cauchon, Chalmers, Cummings, Daly, DeWitt, Dickson,

Dunlop, Gowan, Hall, Jessup, Merritt, Papineau, Powell, Price, Roblin, Seymour, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Watts, and Webster,--(23.)

So it was carried in the affirmative, and

Ordered, That five hundred copies of the said Report be printed in each of the English and French languages for the use of the Members of this House.

Disposal of Public Lands.

Mr. Macdonald, of Stormont, from the Special Committee, to which was referred the Bill to extend the provisions of the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to enable persons who located lands, prior to the 4th April, 1839, to perfect their titles to the same, and other references, reported to the House, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Monday the seventeenth instant.

Petition of J. D. M'Kenzie and others.

Mr. Dickson, from the Select Committee, to which was recommitteed the Report of the Select Committee, to which was referred the Petition of John D. M'Kenzie and others, of the township of Beverly, in the district of Gore, and other places, with power to report by Bill or otherwise, presented to the House a Bill to establish the boundaries of the Lots and Gores of Land in the sixth, seventh, eighth, ninth, and tenth concessions of the township of Beverly, in the county of Halton; which was received and read for the first time, and ordered to be read a second time on Wednesday next.

Culling and Measurement of Timber.

The Honourable Mr. Aylwin, from the Select Committee, to which was referred the Petition of John P. Waterson and others, licensed deal cullers of the city of Quebec, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table; and also reported that the Committee had gone through the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, and had made several amendments thereto; which amendments were again read at the Clerk's table.

(For the said Report, see Appendix O.O.)



Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Monday next.

(338)

Mutual Fire  
Insurance  
Company,  
Montreal.

Mr. Jobin, from the Select Committee, to which was referred the Petition of the President and Directors of the Mutual Fire Insurance Company of the county of Montreal, with power to report by Bill or otherwise, presented to the House a Bill to amend the Act authorizing the establishment of Mutual Fire Insurance Companies, and the Act to continue and amend the same; which was received and read for the first time, and ordered to be read a second time, on Tuesday next.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Post Road,  
Montreal and  
Bytown.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would cause to be laid before this House, copies of all communications that may have passed between the Provincial Government, and the Deputy Post Master General, subsequent to the first of January, 1844, relative to the conveyance of the Mail between Montreal and Bytown:--

GENERAL POST OFFICE,  
Montreal, 3rd December, 1844.

SIR,

I think it my duty respectfully to solicit the attention of the Governor General to representations which I have had the honour repeatedly to address to His Excellency's Predecessors, Lord Seaton and Lord Sydenham, and before their time, to other Governors General, upon the wretched condition of the roads in the Ottawa County, above Grenville, on the North Bank of the River, and L'Orignal on the South. On the latter shore, indeed, the Post communication is absolutely broken off altogether, between Plantagenet and Bytown, from the impracticability of a portion of what is called a "Road" upon the map, and the entire absence of any road, for some fifteen miles of the distance; and this upon one of the main Rivers of the Province, within about eighty miles of Montreal.

On the North Shore, the case is hardly better: a road to connect Grenville with Hull (60 miles) was opened about twenty-eight years ago, and some thousands of pounds of public money were expended upon it: but

as the work was not then completed, and that no improvement upon an adequate scale has been made since, some portions of the route are, to this day, totally impracticable for wheel-carriages, and many of the large streams which cross the road are without bridges. The consequence is, that during the greater part of the year this Department experiences the utmost difficulty in maintaining the Post communication upon what has become the second most important mail-route in the Province. The inconveniencies which thereby accrue to the residents of the Ottawa County, and to their mercantile connexions in Montreal, gives rise to complaints which it is out of my power to redress, and which are most serious and harassing.

Trusting that this appeal may be found to merit the notice of the Governor General, and that His Excellency will be pleased to take such steps as may be advisable to secure good and available roads for the transmission of the Mails up on both banks of the Ottawa, to the west of the Long Sault,

I have, &c.

(Signed,)

T. A. STAYNER.  
Deputy Post Master General.

Honourable D. DALY,  
&c. &c. &c.

And also,

Public Im-  
provement and  
Education  
sum, 1830.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency would be pleased to cause to be laid before the House, a Statement in a tabular form, of all sums of money which have been expended from the Public Treasuries of the several Provinces of Upper and Lower Canada, for Public improvements and Education, in each of the several counties, and ridings in this Province, since the year 1830, specifying the authority under which such Expenditure was made, and the several times of making such Expenditure.

(For the said Statement, see Appendix P.P.)

On motion of Mr. Dickson, seconded by Mr. Macdonald, of Cornwall,

Niagara  
Incorporation.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled,  
"An Act to incorporate the town of Niagara,

and to establish a Police therein," be taken into consideration on Monday next.

On motion of Mr. Dickson, seconded by Mr. Macdonald, of Cornwall,

Niagara and  
Ten Mile Creek  
Plank Road.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company,"

for the purpose of constructing a plank road, from a certain place in Niagara, to the Ten Mile Creek in Grantham, be taken into consideration on Monday next.

On motion of Mr. Cauchon, seconded by Mr. Chabot,

Petition of the  
Rev. A. Gosselin  
and others.

Resolved, That the Report of the Special Committee, to which was referred the Petition of the Reverend Antoine Gosselin and others, of La Ste. Famille and other parishes, in the

island of Orleans, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Murney took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Murney reported that the Committee had come to a resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the report be received on Monday next.

Election, Third  
Riding York.

Mr. Taché, Chairman of the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third

Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, informed the House that he had this day received a letter from William Henry Scott, Esquire; and also, that he was acquainted with the hand-writing of the said William Henry Scott, having often seen him write, and that he believes the said letter to be of his hand-writing, and he delivered in the same at the Clerk's table.

The said letter was read, and is as followeth:--

7th March, 1845.

1996

DEAR SIR,

In reply to your note of yesterday, I beg leave to inform you that in consequence of the death of my lamented Father. I have not been able to attend the Committee on the York Election, but I will be punctual in attendance on Monday at 10 o'clock.

I have, &c.

(Signed,)

W. H. SCOTT.

E. P. TACHE, Esquire,  
M. P. P.

(339)

Resolved, That as Mr. Scott has absented himself on account of family bereavement, he be excused.

On motion of the Honourable Mr. Morin, seconded by Mr. Chabot,

Private Bills.

Ordered, That the time for receiving Reports of Select Committees on Private Bills, be further extended until Tuesday next.

Mail route  
from Montreal  
to Bytown.

Ordered, That the Return to the Address of this House to His Excellency, the Governor General, on the subject of a correspondence between the Provincial Government, and the Deputy Post

Master General, relative to the conveyance of the Mail between Montreal and Bytown, laid before the House this day, be printed in each of the English and French languages, for the use of the Members of this House.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Daly,

Board of Works.

Resolved, That the House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of amending the Act erecting the Board of Works, and for imposing certain tolls on the said Works, and to limit the amount thereof, and for other purposes.

The House accordingly resolved itself into the said Committee.

Mr. Dunlop took the chair of the Committee,<sup>16</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH ... stated that the object of this resolution was to amend and consolidate the Acts relative to the



Board; to do away with the present ineffective system of arbitration upon damages sustained by its operations, and to create in lieu thereof a Board of Commissioners in each section of the Province, to hear and determine upon all claims; to vest in the Attornies General, East and West, power to receive service of action in their respective departments, for claims upon the Board, thus giving to all a legal recourse for injuries or demands; and to limit the time in which such actions could be brought to twelve months. Further to establish an uniform sale of tolls throughout the Province, fixing the maximum, and leaving it to the Executive to establish the rates subject to that restriction. And lastly, to impose certain restrictions upon the granting of surveys by the Board, that no survey should be made upon application, unless the same was accompanied by a plan and detailed estimate, that its practicality and public utility might be judged of before any action was taken thereon.<sup>17</sup> The hon. gentleman concluded by moving a resolution to the effect that it was expedient to introduce a bill for the purpose of regulating the rate of tolls on public works, and amend the act at present in existence.<sup>18</sup>

MR. GOWAN said that this was not the proper time for discussing the Bill, but he<sup>19</sup> asked if the Bill to be introduced on this resolution made provision for the determination of outstanding complaints.<sup>20</sup>

The Attorney General ((MR. JAMES)) SMITH said, that it did.<sup>21</sup>

MR. GOWAN - In the name of many parties who had entrusted their grievances to his advocacy, thanked the Ministry for this instalment of justice, which he received as a manifestation of their desire to meet those claims equitably.<sup>22</sup>

The resolution was then adopted.<sup>23</sup>

(339)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Dunlop reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received on Monday next.*

*On motion of Mr. Merritt, seconded by Mr. Christie,*

*Public  
Accounts.*

*Ordered, That the Bill to prescribe the manner  
in which the Public Accounts shall be annually*

*laid before the Legislature, as reported by the Special Committee, to which were referred the Public Accounts of 1843; be committed to a Committee of the whole House, on Thursday next.*

*On motion of Mr. Roblin, seconded by Mr. DeWitt,*

*Contingencies.                      Ordered, That the fourth Report of the Standing Committee on Contingencies, be now committed to a Committee of the whole House.*

*The House accordingly resolved itself into the said Committee.*

*Mr. Smith, of Wentworth, took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Smith, of Wentworth, reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--*

*Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his warrant in favour of William Burns Lindsay, Esquire, the Clerk of this House, for the sum of five thousand pounds, currency, towards defraying the Contingencies of this House, and assuming His Excellency that this House will make good the same.*

*Contingencies.                      Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.*

*On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Robinson,*

*Montreal Harbour.                      Resolved, That the House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of improving and enlarging the limits of the Harbour of Montreal, and to authorize the Commissioners to borrow a further sum of money, to consolidate the Laws now in force, and for other purposes.*

*The House accordingly resolved itself into the said Committee.*

*Mr. Roblin took the chair of the Committee,<sup>24</sup>*

MR. ATTORNEY GENERAL ((JAMES)) SMITH moved that "it is expedient to improve the Montreal Harbour, and to consolidate the laws relative thereto; to enable the Commissioners to borrow a further sum of £16,000, and to exchange the present debentures for others bearing a lower rate of interest." He stated that the present debt amounted to £92,000, paying interest from £5½ to £8 per cent; and the Revenue arising from the Harbour was such that by enabling the Commissioners to borrow at a lower rate of interest, a sinking fund would be found which would in a few years extinguish it altogether.<sup>25</sup>

MR. AYLWIN said, that he supposed that it was the intention of Government to guarantee the payment of this new loan. He hoped that while so much was done for Montreal, Quebec would not be entirely neglected. The Government had promised a survey of the St. Charles, and when the report of it should be received he should expect that action would be taken upon it. The people of Quebec did not want £90,000; but would be satisfied with the outlay of one half that sum. Hitherto they had been entirely neglected.<sup>26</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, that the Government only guaranteed the payment of the interest upon these loans. He assured the hon. gentleman that the interests of Quebec would not be lost sight of. The reason of so large a sum having been expended upon the Montreal Harbour lay in the fact that it had to be created; it having been formerly in such a state as to have been useless for commercial purposes.<sup>27</sup>

MR. MOFFATT said, that the Harbour of Quebec and Montreal were differently situated, the one was private and the other public property. Quebec had fine wharves, while those of Montreal previous to the improvements were mere banks of mud. The Revenue arising from the Montreal Harbour was so large that it promised at no very distant day to extinguish the debt, and to become a source of profit to the country.<sup>28</sup> He trusted that when the bill was brought up, it would be accompanied by a survey of the intended improvements.<sup>29</sup>

An honorable member taunted Mr. Aylwin, in spite of his strong interest in the welfare of Quebec, with having, when in power, done nothing for it<sup>30</sup>.

The hon. gentleman ((MR. AYLWIN)) answered that he had not the opportunity from the impoverished state of the revenue<sup>31</sup>.

A resolution founded on the motion, was agreed to<sup>32</sup>.

(339)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Roblin reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Leave of  
absence.

Ordered, That Mr. Guillet have leave to absent himself from this House, for the next week, on particular business.

"Christian  
Unitarians."

Mr. Macdonell, of Dundas, from the Committee of the whole House on the Bill to afford relief to a certain religious congregation at Montreal, denominated "Christian Unitarians," reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Duties of  
Customs.

The Order of the Day for the second reading of the Bill for granting Provincial Duties of Customs, being read,<sup>33</sup>

The Hon. Inspector Genral ((MR. ROBINSON)) stated that the time he proposed the new duties should come into operation, was the 6th April next, for everything except sawed timber and lumber, which, on the representations which have been made to him, he had been induced to postpone till the month of July.<sup>34</sup>

MR. AYLWIN said, he had received a communication from the city of Quebec protesting against the new system of cash payments, which would press heavily on the small capitalists.<sup>35</sup> ((He)) announced himself in favour of the system of giving bonds for duties.<sup>36</sup> He also expressed a hope that the tariff of the hon. Inspector General would not interfere with the opinions expressed by Her Majesty's Government on the subject of differential duties, which he was advised was the case.<sup>37</sup>

MR. MOFFATT gave notice that in Committee he should move to strike out the additional duty on flour, and also to restore to the list of exemptions provisions required for the use of Her Majesty's troops.<sup>38</sup>



(339)

The said Bill was accordingly read and committed to a Committee of the whole House, on Tuesday next.

Rebellion  
Claims.

The Order of the Day for the second reading of the Bill to provide for the payment of Claims arising out of the Rebellion and Invasion in Upper Canada; and to appropriate the duties on Tavern licenses to local purposes, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Price took the chair of the Committee,<sup>39</sup>

The House ... ((filled)) up the blanks in the clauses with the words "forty thousand pounds."<sup>40</sup>

COL. PRINCE took the opportunity of thanking the other side of the House for the generosity they had shown in not opposing this measure ... and promised that whenever the claims of Lower Canada came up, they should experience the same consideration at his hands.<sup>41</sup>

(339)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Price reported that the Committee had gone through the Bill, and had made several amendments thereto; which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Printed copies  
of the Laws.

The Order of the Day for the House in Committee, to consider the expediency of repealing such Laws as may be now in force respecting the distribution of printed copies of the Laws, and of substituting other provisions for the same purpose, being read,

(340)

The House accordingly resolved itself into the said Committee.

Mr. Ermatinger took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Ermatinger reported, that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to repeal the several Laws now in force, respecting the distribution of the printed copies of the Provincial Statutes; with a view of substituting other provisions better adapted to the said purposes.

Ordered, That the Honourable Mr. Daly have leave to bring in a Bill to provide for the distribution of the printed copies of the Laws.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

British Planta-  
tion Vessels.

The Order of the Day for the House in Committee on the Bill to secure the right of property in British Plantation Vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the Registration of British Vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, being read,

The House accordingly resolved itself into the said Committee.

Mr. Colville took the chair of the Committee,<sup>42</sup>

The Attorney-General ((MR. JAMES SMITH)) stated, that the object of this bill was to enable owners of vessels, being subjects of Great Britain, to register their vessels as British vessels. At present there was a very great difficulty about the ownership in consequence of no registration taking place. He would shortly move for an humble address to be presented to her Majesty praying her to recommend to the Imperial Parliament<sup>43</sup> the repeal of that portion of the navigation Act which prevents others than natural born subjects, or subjects naturalized by letters Patent, or Act of the Imperial Parliament, from registering titles in British Shipping.<sup>44</sup>

MR BALDWIN complained that the provisions of this bill would not include owners of vessels who are naturalized by act of the Provincial Legislature. It was well known that great doubts existed as to the power of the Provincial Legislature to naturalize aliens for the purposes of the navigation laws; and he thought that doubt should be decided by the insertion of a clause in the act. He conceived that such a step would bring the matter before the Legislature at home in a more forcible

manner than a mere address. He accordingly moved in amendment, that certain words should be struck out in the first clause after the word "naturalized," and that the following words should be inserted: 'by act of the Imperial Parliament, or by act of the Legislature of this Province, or of the Legislatures of the late Provinces of Upper and Lower Canada.'"45

MR DRAPER said that it had been frequently a matter of very great difficulty to ascertain whether the persons who represented themselves to be owners of vessels navigating the lakes could prove that they really were so. He knew many cases in which, while the apparent ownership of a vessel has been in some one person, there had been security held by other parties almost the full amount of her value. He had met with other cases in which persons on the eve of making advances upon ships had only been saved from loss by an accidental discovery of existing liabilities. It was to remedy that state of things that the bill now under discussion was introduced, and not for the purpose of granting any peculiar privileges. As regarded all the navigation from the sea, it was necessarily conducted subject to the navigation laws of Great Britain, and vessels carrying produce even to the lower ports were obliged to be navigated in accordance with those laws. The Legislature of the Province had not the power of extending British rights to vessels of the Province going out of the Provincial territory, without first obtaining the authority of the Imperial Parliament. When, however, the works now in progress shall be completed, there was very little doubt that vessels from the lakes will come not only to Montreal and Quebec, but would even go to the ports of the Lower Provinces. The object therefore of coupling the address to which his learned friend the Attorney-General had alluded, with the bill now before the House was, that having by the bill provided a form of registration similar to that which prevails in Gt. Britain, the Colonial Legislature might ask the British Government to give the same rights to vessels navigated under the Provincial laws as were possessed by those navigated under the British laws. Did not sound policy dictate that the request should be limited to asking these rights, upon the same principle as that which governed the enactment of these laws at home? He was not contending against the principles laid down by his hon. friend from the Fourth Riding, but he only objected to mixing it up with a bill which had no connexion with the particular object which he sought to attain. There was no desire on the part of those who supported the measure to deprive parties naturalised by the Colonial laws of any of the privilege of British subjects; but it was necessary to concede something to the views of those from whom only the boon sought for could be obtained, and it was well known that the Home Government entertained great jealousies on the subject of extending the rights secured by the navigation laws. Under these circumstances, he put it to the House whether it would not be better to pass the bill in a shape which could raise no difficulty? Afterwards, having got the general principle established, there would be

much less difficulty in extending it. He did not believe that there was any considerable number of persons engaged in the shipping interest who were of the class to whom the hon. gentleman's amendment had reference; and if there were, it was not difficult for them to secure their rights by means of trusts, until the consent of the Home Government could be obtained to the entire measure.<sup>46</sup>

MR. MERRITT thought that the address should go home before the House passed this bill, and then the views of the Imperial Government could be obtained, and the Legislature here could take its steps accordingly.<sup>47</sup>

The Attorney General ((MR. JAMES SMITH)) (East) was entirely opposed to any delay, nor did he see any important end that could be answered by it; because parties could not be placed in a worse position than before by the passing of this bill. The object of the enactments contained in it were, in the first place, the registration of property in vessels; but the address contemplated a much more important end - that of granting Provincial vessels the privileges of vessels sailing under the British navigation laws.<sup>48</sup>

MR. BALDWIN thought it a fallacy to say that the parties to whom reference had been made would not be placed in a worse position after the passing of this act; because their relative position would be materially altered. Their fellow-subjects would have certain advantages conferred upon them which they could not obtain.<sup>49</sup>

MR. MOFFATT wished the House to look at the matter in another point of view. If the Home Government should object to concur in the clause now proposed by the honorable gentleman opposite, would it be a reason for deferring to confer on the whole Province the advantages sought for, merely because the Legislature here had not the power of giving them to some two dozen of their fellow subjects? Why delay this measure, merely because it is not certain whether the bill would receive the Royal sanction, if it include a certain clause? It was surely better to include that part of the subject in an address, praying for the consideration of the Home Government, rather than to risk the success of the entire bill, by including it therein. He trusted the bill would be passed at once, in order that it might come under the consideration of the Imperial Parliament, during the present session. He should vote against the amendment for the reason he had already given, although he felt as much inclined as any man in the House to confer the full privilege of British subjects on those persons who are naturalized by the Colonial Legislature.<sup>50</sup>

The amendment was then put and lost<sup>51</sup> .



(340)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Colville reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

The Honourable Mr. Baldwin then moved, in amendment to the sixth clause of the said Bill, seconded by Mr. Price, that all the words after "Letter Patent," in the said clause be struck out, and the following inserted in lieu thereof, viz., "or by an Act of the Imperial Parliament, or by or under the authority of any Act of the Provincial Parliament of this Province, or of the Provincial Parliament of either of the late Provinces of Lower or Upper Canada, and that no foreigner not naturalized, or made Denizen as aforesaid, hath directly or indirectly any share or part interest in the said ship or vessel."

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Chauveau, Desaunier, Jobin, Lacoste, LaFontaine, Laterrière, Laurin, Leslie, Macdonell of STORMONT, Méthot, Morin, Nelson, Powell, Price, Roblin, Smith of WENTWORTH, Taché, and Thompson--(22.)

NAYS.

Brooks, Chalmers, Christie, Colville, Cummings, Daly, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Jessup, Macdonald of CORNWALL, Macdonald of DUNDAS, M'Connell, Meyers, Moffatt, Murney, Papineau, Petrie, Riddell, Robinson, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, and Webster--(34.)

So it passed in the negative.

Ordered, That the said Bill, as amended, be engrossed.

Railroad  
Province line.

The Order of the Day for the House in Committee, on the Bill to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province line, in the township of Stanstead, being read.

*The House accordingly resolved itself into the said Committee.*

*Mr. Duggan took the chair of the Committee,*<sup>52</sup>

MR. BROOKS stated that this bill had been referred to the standing committee on private bills, who had reported it with several amendments<sup>53</sup>. The objects of the bill, and its general importance to the province were too well known to require any comment; he should therefore move the adoption of the first clause.<sup>54</sup>

MR. LAFONTAINE asked, what was the limitation of the liability of the Company.<sup>55</sup>

MR. BROOKS. - The amount of the capital.<sup>56</sup>

MR. LAFONTAINE. - I think that the company comes under the denomination of common carriers. (Laughter)<sup>57</sup>

MR. MOFFATT said, that the measure before the house was one of great importance not only to the commercial but the agricultural interests of the country.<sup>58</sup> When this project was first proposed, he shrunk from the idea, because he found it would require a sum of a million and a half pounds to carry it out, and had doubted whether it was possible to raise so large a capital. The more he reflected upon it, however, the more was he convinced of the great advantages which would result from the undertaking; but he was informed that there was a more direct route than that which was mentioned in the clause now before the House, and he intended to move an amend, the effect of which would be, to give a direction to the parties concerned to make their road in connection with that which is intended to be made from Portland to the boundary line.<sup>59</sup> At present, the line was undefined, and had been left an open question, and he believed that if it remained so, it would retard the progress of the measure, and would prevent capitalists subscribing for the stock. It was therefore of the greatest importance that this vexed question should be put beyond controversy.<sup>60</sup> It would be an object of great importance to have this line connected with the most direct route to the atlantic, and the one he proposed to adopt<sup>61</sup>, from Montreal to Portland<sup>62</sup>, would be seventy miles shorter than that to Boston or any other place. This route, too, would be almost as quick a road to Boston as if it were made direct to that city, so that there could be no possible disadvantage attending it. There was already a line in existence between Portland and Boston<sup>63</sup>. An express had left Boston for Montreal about two weeks ago; it travelled over the railroad from Boston to Portland, one hundred and four miles, in two hours and a half, and accomplished the distance between Portland and Montreal, in

thity (sic)-two hours over bad roads. The proposed route therefore, could not be through a very difficult country, and afforded a well-founded hope that this great undertaking would be accomplished. The line which was laid down in the amendment he offered, would carry the railroad through the greatest extent of the land of this province, instead of traversing a mere corner of it, as it would do, if taken direct to Boston. The amendment also provided for a line to be formed to connect the St. Lawrence Railroad with any other which should be brought through Vermont.<sup>64</sup> The amendment would go at the end of the first clause. He moved to strike out certain words and insert the following - "in the general direction of St. Francis and Sherbrooke, to that part of the boundary line where it may be best connected with the Atlantic and St. Lawrence Railway, from Portland."<sup>65</sup>

MR. BROOKS said, as the person having charge of this measure, he would state to the House<sup>66</sup> that he had no objection to the amendment. Public opinion was in favour of a definite line, and he yielded to it. He considered the amendment an improvement to the original Bill; and was ready to meet the views of those who desired it.<sup>67</sup>

DR. DUNLOP objected to the Bill. Its indefinite form reminded him of an oath prescribed in a Statute passed in the reign of Charles II, in the middle of which was an &c. A man must have had an elastic conscience to swallow such an oath; and this Bill was very like it. He also objected to the Bill, as he considered that the Railroad in time of war would be the means of bringing in the enemies' troops. It might be said that it would also serve to convey our troops, but it must be remembered that we were the weaker country. We should be in the position of the man in India who went to find a tiger; but while going through the jungle, a deep roar reminded him that the tiger might find him. - (Laughter.) He thought there was no necessity to make a railroad through a foreign country to a foreign port, when it might be made from Quebec through our own territory to the Bay of Chaleurs which was just as open as Portland Harbour. It appeared from the route, that to accommodate certain parties, a very peculiar zigzagification had been adopted.<sup>68</sup>

MR. MOFFATT agreed that it would be advisable to carry the line from Quebec to the Bay of Chaleurs if it were practicable, but it was not so; such a line was for the present beyond all hope. He thought there was little to fear from the hostility of the people of Maine; there was a kindly feeling in that State towards the inhabitants of this colony, and this measure if carried out would tend to increase that feeling, and it would be found in case of a war with the United States of America, that there would be little disposition upon their part to annoy the people of this Province. - (Hear, hear.)<sup>69</sup>

MR. HALE said, that the line had been left undefined in the Bill, but finding that public opinion was in favour of a definite settlement of a question which might lead to serious difficulties, he was prepared to submit to it, rather than lose the Bill, for he felt that it was essential to its safety that the amendment should be adopted. He was surprised to hear the member for Huron talk in the strain he had done - such language was unbecoming a British soldier - what! did he fear the enemy?<sup>70</sup>

DR. DUNLOP - No!<sup>71</sup>

((MR. HALE resumed:)) He would adopt the saying of a native of the Emerald Isle, who declared that the best way to avoid danger was to go and meet it.<sup>72</sup>

DR. DUNLOP - I don't choose to go on a Railroad though. - Loud Laughter.<sup>73</sup>

((MR. HALE resumed:)) As to the zigzagification, to quote another such saying, "the best way to get over a hill is to go round it." The present measure was one of great importance, he might say the most important measure which had ever been brought before the Legislature, and he hoped that no opposition would be offered to it.<sup>74</sup>

MR. WATTS opposed the amendment.<sup>75</sup> Ce n'était là la meilleure route à prendre, et ... celui que ces quelques intéressés avaient chargé de l'exploration du pays par où ce chemin de fer devait passer, s'en était impraticable.<sup>76</sup> He wished that the line should be left open. He considered that through Drummondville was the best route, and that the terminus should be at Port St. Francis.<sup>77</sup>

((MR. HALL made)) some remarks.<sup>78</sup>

The amendment was carried.<sup>79</sup>

The several clauses were then adopted<sup>80</sup> .

(340)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Duggan reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

Ordered, *That the Report be received on Monday next.*



Ordered, That the remaining Orders of the Day be postponed until Monday next, and that they do take precedence of all other orders for that day.

Then, on motion of Mr. Johnston,

The House adjourned until Monday next.

APPENDIX, 7 MARCH 1845.

((WITHDRAWN MOTION RE: SATURDAY SITTINGS.))<sup>81</sup>

MR. LAURIN moved that when this House adjourns, it adjourn until 8 o'clock on Saturday. The hon. gentleman stated that the intention of the motion was that the House should sit on Saturday, which is now a holiday. Unless some such step were taken to expedite the public business, the House would probably be in Session for the next two months.<sup>82</sup>

The motion was opposed by MR. ATTORNEY GENERAL ((JAMES)) SMITH and MR. ROBINSON; on the ground that instead of forwarding the business of the country it would be productive of delay, by taking from Ministers the only day which they now had to devote exclusively to their several departments.<sup>83</sup>

MR. AYLWIN supported the motion, and said that the opposition to it came with a very bad grace from Ministers after the delay which had occurred in the production of their measures. If the Session of the Legislature were obstructed in this manner it would prevent Members not having large independent means from devoting their time and talents to the service of the country.<sup>84</sup> This would be the case with him.<sup>85</sup> Having no partner to conduct his own business in his absence, it occasioned him a most serious loss; not only was his practice entirely neglected, but he could not answer one out of twenty letters which he received connected therewith.<sup>86</sup>

MR. JOHNSTON ascribed the length of the Session to the long speeches of the Member for Quebec, and the opposition of his friends. They would neither work themselves, nor allow any one else to do so. If the hon. gentleman would follow his (Mr. Johnston's) example, and condense his remarks into a nutshell, the business of the House would be got through in one half the time.<sup>87</sup>

COL. PRINCE agreed with what had fallen from the member for Quebec, but he thought it was not right to ascribe the length of the session to the delay of ministers. The fact was, that in consequence of the frequent and tedious debates which arose upon matters of no moment, they had not a chance to push their measures. While fully admitting the splendid talents and eloquence of his hon. friend, the member for Quebec, he would advise him not to waste them upon petty discussions, but reserve them for the really important measures before the House. If he would do this, it would much facilitate the business of the House.<sup>88</sup>

DR. DUNLOP fully concurred in the remarks of his honorable and learned friend from Carlton, and advised honorable members to follow his example and condense their remarks into a nut-shell, even if it were as large an one as a coker-nut-shell (sic).<sup>89</sup>

The motion was withdrawn ((by MR. LAURIN.))<sup>90</sup>

FOOTNOTES - 7 MARCH 1845.

1. The debate on this matter was reported by: PILOT, 8 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845.
2. PILOT, 8 March 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, BRITISH COLONIST, 18 March 1845, and MONTREAL TRANSCRIPT, 8 March 1845, in accounts identical in most respects except that the GAZETTE's, BRITISH WHIG's, KINGSTON NEWS' and the COLONIST's reports contain more speakers and more detail than the MONTREAL TRANSCRIPT; PILOT, 8 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845; and LA MINERVE, 13 March 1845.
8. MONTREAL GAZETTE, 11 March 1845.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. PILOT, 8 March 1845.
15. MONTREAL GAZETTE, 11 March 1845.
16. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, BRITISH COLONIST, 18 March 1845, MONTREAL TRANSCRIPT, 8 March 1845, and KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, in identical accounts, except that in the TRANSCRIPT and the NEWS some speeches are identical and some are not.
17. MONTREAL GAZETTE, 11 March 1845.
18. MONTREAL TRANSCRIPT, 8 March 1845.
19. IBID.
20. MONTREAL GAZETTE, 11 March 1845.
21. IBID.
22. IBID.
23. MONTREAL TRANSCRIPT, 8 March 1845.
24. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, BRITISH COLONIST, 18 March 1845, MONTREAL TRANSCRIPT, 8 March 1845, and KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, in identical accounts, except that in the TRANSCRIPT and the NEWS some speeches are identical and some are not; and PILOT, 11 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845.
25. MONTREAL GAZETTE, 11 March 1845. PILOT, 11 March 1845, however, gave £50,000 as the sum instead of £16,000.
26. MONTREAL GAZETTE, 11 March 1845.
27. IBID.
28. IBID.
29. MONTREAL TRANSCRIPT, 8 March 1845.

30. MONTREAL GAZETTE, 11 March 1845.
31. IBID.
32. MONTREAL TRANSCRIPT, 8 March 1845.
33. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, BRITISH COLONIST, 18 March 1845, and MONTREAL TRANSCRIPT, 8 March 1845, in identical accounts. The MONTREAL GAZETTE is used instead of the MONTREAL TRANSCRIPT which is not very legible.
34. MONTREAL GAZETTE, 11 March 1845.
35. IBID.
36. PILOT, 11 March 1845.
37. MONTREAL GAZETTE, 11 March 1845.
38. IBID.
39. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, BRITISH COLONIST, 18 March 1845, and MONTREAL TRANSCRIPT, 8 March 1845, in identical accounts; and KINGSTON NEWS, 13 March 1845, copied from MONTREAL TIMES. The MONTREAL GAZETTE is reproduced instead of the MONTREAL TRANSCRIPT which is not very legible.
40. MONTREAL GAZETTE, 11 March 1845.
41. IBID.
42. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1855, KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, and BRITISH COLONIST, 18 March 1845, in identical accounts; and PILOT, 11 March 1845.
43. KINGSTON NEWS, 13 March 1845.
44. MONTREAL GAZETTE, 11 March 1845.
45. KINGSTON NEWS, 13 March 1845.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID. After the Committee rose and reported, Baldwin again moved this amendment, which was again negatived.
52. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, BRITISH WHIG, 14 March 1845, and BRITISH COLONIST, 18 March 1845, in identical accounts; KINGSTON NEWS, 13 March 1845, copied from MONTREAL TIMES; LA MINERVE, 13 March 1845; LE JOURNAL DE QUEBEC, 15 March 1845; and PILOT, 11 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845. When selections are chosen from the identical reports in the MONTREAL GAZETTE, and BRITISH COLONIST, the BRITISH COLONIST is reproduced because the MONTREAL GAZETTE is quite faded. A commentary was contained in LE JOURNAL DE QUEBEC, which said that the Bill "de M. Brooks ... est en réalité le bill de M. Hale. Mais celui-ci ne voulait pas paraître prendre l'initiative dans une mesure qui l'intéresse trop directement".
53. KINGSTON NEWS, 13 March 1845.
54. BRITISH COLONIST, 18 March 1845.
55. IBID.



56. IBID.
57. IBID.
58. IBID.
59. KINGSTON NEWS, 13 March 1845.
60. BRITISH COLONIST, 18 March 1845.
61. KINGSTON NEWS, 13 March 1845.
62. BRITISH COLONIST, 18 March 1845.
63. KINGSTON NEWS, 13 March 1845.
64. BRITISH COLONIST, 18 March 1845.
65. KINGSTON NEWS, 13 March 1845.
66. IBID.
67. BRITISH COLONIST, 18 March 1845.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. LE JOURNAL DE QUEBEC, 15 March 1845.
77. BRITISH COLONIST, 18 March 1845.
78. IBID.
79. IBID.
80. IBID.
81. The debate on this matter was reported by: MONTREAL GAZETTE, 11 March 1845, in an account identical to that in BRITISH WHIG, 14 March 1845; MONTREAL TRANSCRIPT, 8 March 1845, and KINGSTON NEWS, 13 March 1845, copying MONTREAL TIMES, in identical accounts; and LA MINERVE, 13 March 1845.
82. MONTREAL GAZETTE, 11 March 1845.
83. IBID.
84. IBID.
85. MONTREAL TRANSCRIPT, 8 March 1845.
86. MONTREAL GAZETTE, 11 March 1845.
87. IBID.
88. IBID.
89. IBID.
90. IBID. The MONTREAL TRANSCRIPT noted sarcastically that the motion was withdrawn only "after the wish of the House to facilitate business had been further exemplified by a discussion of a quarter of an hour...."

MONDAY, 10 MARCH 1845.

(340)

County of  
Lanark,  
Election.

MR. SPEAKER informed the House that the Clerk of this House had received from the Clerk of the Crown in Chancery, a certificate of the election of a Member for the county of Lanark, in the room of Malcolm Cameron, Esquire, whose election for the said county had been declared void by the Legislative Assembly of this Province, which is as follows:--

Province of Canada.

OFFICE OF THE CLERK OF THE  
CROWN IN CHANCERY,

Montreal, 8th March, 1845.

This is to certify that in virtue of a Writ of election, dated the twenty-eighth day of January last past, issued by His Excellency, the Governor General, and directed to the Returning Officer, for the county of Lanark (Daniel M'Martin, Esquire) for the election of one Member to represent the county of Lanark in the present Parliament, in the room of Malcolm Cameron, Esquire, whose election for the said county had been declared void by the Legislative Assembly of this Province, Malcolm Cameron, Esquire, has been returned as duly elected accordingly, as appears by the Return of the said Writ, dated the twenty-eighth day of February last past, which is lodged of record in my office.

FELIX FORTIER.

C. C. C.

W. B. LINDSAY, Esquire,  
Clerk of the Legislative Assembly,

(341)

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:

By Mr. Williams, the Petition of Hugh Richardson and others, Shipowners and Mariners on Lake Ontario; and the Petition of G. H. Grierson and others, of the districts of Colborne and Newcastle.

By the Honourable Mr. Daly, the Petition of Archibald M'Killop and others, of the county of Megantic.

By Mr. Boulton, the Petition of the Council of King's College at York, near Toronto, in Upper Canada; and the Petition of the Right Reverend the Lord Bishop of Toronto and others, members of the United Church of England and Ireland, residing in the city of Toronto,

(relating to the charter of the said College.)

By Mr. DeWitt, the Petition of A. C. Squire and others, of the township of Sutton, in the county of Missisquoi.

By the Honourable Mr. Robinson, the Petition of W. Simpson and others, members of the United Church of England and Ireland, in Penetanguishine, and the parts adjacent; the Petition of the Municipal Council of the district of Simcoe, (relating to the Registry office); the Petition of the Municipal Council of the district of Simcoe, (relating to taxes on unoccupied Lands); the Petition of the Municipal Council of the district of Simcoe, (relating to the Holland river); the Petition of the Municipal Council of the district of Simcoe, (relating to the Post Office); the Petition of the Municipal Council of the district of Simcoe, (relating to the sale of Lands for taxes); and the Petition of the Municipal Council of the district of Simcoe, (relating to remuneration to district Councillors.)

By Mr. Gowan, the Petition of William Buell and others, the Committee of the Mercantile and General Agricultural Improvement Society, of the district of Johnstown.

By Mr. Macdonald, of Kingston, the Petition of Henry William Harris, Esquire, Captain in Her Majesty's twenty-fourth Regiment of Foot.

Oxford con-  
tested Election.

Mr. Chauveau, from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the city of Montreal, complaining of the undue election and return of Robert Riddell, Esquire, as a Member to represent the county of Oxford, reported to the House that the Committee met this morning at ten o'clock, pursuant to adjournment, but were unable to proceed to business in consequence of the absence of Mr. Lacoste, a member of the Committee, and therefore after waiting until eleven o'clock, they adjourned until five o'clock, P. M. this day.

Ordered, That Lewis Lacoste, Esquire, Member for Chambly, do attend in his place, in this House to-morrow.

Ordered, That the Select Committee, appointed to try the merits of the Petition of the Honourable Francis Hincks, of the city of Montreal, complaining of the undue election and return of Robert Riddell, Esquire, as a Member to represent the county of Oxford, have leave to adjourn from this day, until the first day of April next.

"Christian Unitarians."

An engrossed Bill to afford relief to a certain religious congregation at Montreal, denominated "Christian Unitarians," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Chambly Cotton Manufactory.

An engrossed Bill to incorporate the Chambly Cotton Manufacturing Company, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

British Plantation Vessels.

An engrossed Bill to secure the right of property in British Plantation Vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of His Majesty's reign, William the Fourth, 28th August, 1833, and intituled, "An Act for the registering of British Vessels," and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels, was read for the third time.

Resolved, That the Bill do pass, and the title, be, "An Act to secure the right of property in British Plantation Vessels, navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, intituled, 'An Act for the registering of British Vessels,' and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels."

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the Reverend John Flanagan and others, members of the Church of England, in the township of Leeds, in the county of Megantic; and of the Reverend M. Townsend and others, members of the Church of England, in the parishes of St. George and St. Thomas, in the diocese of Quebec,



praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserves, as shall correspond with their share of the income arising from the same.

Of Kenneth Cameron and others, of the township of Thora, in the Home district, praying for the survey and construction of a road between Windsor Bay, on Lake Ontario, and Gloucester Bay, on Lake Huron.

Of George M'Manus and others, of Mono and other townships, in the district of Simcoe, praying for aid to improve a road leading to the city of Toronto.

Of Joseph Gely, of the parish of St. Joseph, Point Levy, praying for a grant in Scrip or otherwise, in consideration of his past services in the British navy.

Of James Reid and others, of the township of Hinchinbrooke, in the county of Beauharnois, praying that the expense of erecting a School-house in the said township may be defrayed out of the appropriation for such objects.

Of Thomas Kirkpatrick, Esquire, and others, members of the Bar, in the Midland district, praying for the formation of a Court of Appeals upon a sound and practicable basis, and for certain other alterations in the present Judicature system.

Of James Sanson and others, of Orillia, and other townships, praying for an aid to complete the road from Windsor Bay to the narrows of Lake Simcoe.

(342)

Of Asa Annis, of the township of Whitby, in the Home district, praying to be indemnified for losses sustained by the injustice of a certain agent of the Board of Works.

Of James Paterson and others, of the townships of Toronto, Chingacousy, and Caledon, praying for the construction of a planked road, leading from Port Credit, on Lake Ontario, to Lake Huron.

Of Ebenezer C. Griffin, and others, of the township of Flamborough, East, in the district of Gore, praying that the Clergy Reserve Lands may be disposed of according to the existing law.

Of John M'Phee, President of the Agricultural Society, and others, of the county of Two Mountains; of William Morin and others, of the county of Two Mountains; and of John M'Fall and others, of the county

of Two Mountains, praying that a survey may be made of two proposed routes, for a Macadamized Road, from the Bord à Plouffe to St. Eustache, that the better and cheaper one may be adopted.

Petitions  
referred.

W. Peacock.

Mr. Price moved, seconded by Mr. Powell, that the Petition of William Peacock, of the city of Buffalo, in the State of New York, one of the United States of America, formerly of the township of Etobicoke, in the Home district, be referred to a Select Committee, composed of Mr. Price, the Honourable Mr. Small, Mr. Roblin, and Mr. Powell, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Aylwin, Berthelot, Bertrand, Chabot, Chalmers, Chauveau, Christie, Cummings, Dunlop, John, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Morin, Powell, Price, Roblin, Small, Smith of WENTWORTH, Taché, Thompson, and Williams--(27.)

NAYS.

Brooks, Colville, DeBleury, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Papineau, Petrie, Prince, Riddell, Robinson, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, and Woods--(28.)

So it passed in the negative.

J. Patterson  
and others.

Ordered, That the Petition of James Paterson and others, of the townships of Toronto, Chinguacousy, and Caledon, be referred to the Select Committee, to which was referred the Petition of George Wright and others, of the Home and Simcoe districts.

T. Kirkpatrick,  
Esquire, and  
others.

Ordered, That the Petition of Thomas Kirkpatrick, Esquire, and others, members of the Bar of the Midland district, be referred to the Select Committee, to which was referred the

Petition of Robert E. Burns and others, members of the Legal profession, and another reference.

Report on the  
Petition of M.  
F. Valois and  
others.

Mr. Jobin, from the Select Committee, to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; the Petition of the Reverend Antoine Duranseau and others, inhabitants of Montreal, and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Brunet and others, of St. Anne, Pointe Claire, and other parishes, and other references, with power to report from time to time, presented to the House the second Report of the said Committee; which was again read at the Clerk's table.

(For the said Report see Appendix L. L.)

Ordered, That the said Report be committed to a Committee of the whole House to-morrow.

Report on the  
Petition of C.  
J. de Mon-  
treuil.

Mr. Laurin, from the Select Committee, to which was referred the Petition of Charles Juneau de Montreuil, of the city of Quebec, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee have taken into their consideration the Petition of Charles Juneau de Montreuil, universal legatee of the late Miss Christine Amable Schindler, and have examined Mr. Lindsay, Clerk of your Honourable House, and Mr. Joseph Cary, Deputy Inspector General, and the documents by virtue of which a salary was allowed to the said Amable Schindler as keeper of the apartments of the House of Assembly; they have therefore the honour to make the following report:--

That an annual salary was granted by the House of Assembly to the said Amable Schindler, as keeper of the apartments of the House of Assembly of Lower Canada, and that the last payment which was made to the said Amable Schindler, was a sum of £13 15s. on the 30th September 1832, as appears by the evidence of Mr. Lindsay and Mr. Cary; that the said Amable Schindler having departed this life on the 2nd day of October, 1833, it is evident that one year's salary, £13 15s., is due to the said Amable Schindler. Your Committee beg therefore to recommend that the said sum be paid to the said Charles Juneau de Montreuil as universal legatee of the said late Christine Amable Schindler.

Ordered, That the said Report be referred to the Standing Committee on Contingencies.

On motion of Mr. Chauveau, seconded by Mr. Smith, of Frontenac,  
Ordered, That this House do now adjourn for a quarter of an hour.

The House adjourned accordingly.

5:15 O'Clock, P. M.

On motion of Mr. Macdonald, of Kingston, seconded by the Honourable  
 Mr. Moffatt,

Captain  
Harris'  
Divorce.

Ordered, That the Petition of Henry William  
Harris, Esquire, Captain in Her Majesty's  
 twenty-fourth regiment of foot, praying that  
 the services of the Orders of House, in the  
 case of Harris's Divorce Bill, and leaving a copy of the Bill with  
Captain Frederick L. Ingall, the agent of Mrs. Harris, be deemed good  
 service, which was presented this day, be now read; and that the Rule  
 of this House, of the twenty-eighth of June, 1841, be dispensed with  
 as to the present Petition.

And the House being informed, that Frederick Griffin, Esquire, and  
Captain Frederick L. Ingall, attended at the door, they were severally  
 called in, and examined at the Bar of the House, as followeth:

Frederick Griffin, Esquire, examined.

1. Q.--Are you Attorney and Agent of captain Henry William Harris?

A.--I am.

2. Q.--Was the Bill to dissolve the marriage of the said Henry  
William Harris, served on Eliza Walker, otherwise called Eliza Lock  
Walker, his wife; and if so, state when, and in what manner?

(343)

A.--It was not served upon Mrs. Harris personally, on account of  
 her departure for Santa Cruz, but under an order of the Legislative  
 Council, it was served upon Captain Frederick L. Ingall, her agent in  
 that behalf.

3. Q.--Do you know that the allegations of the Petition are true  
 in fact?

A.--They are true in fact.

Captain Frederick L. Ingall examined.



1. Q.--Are you the agent of Eliza Walker, wife of Captain Henry William Harris?

A.--I am.

2. Q.--Are you authorized to receive service of any notice on her behalf, with regard to the Bill of Divorce, applied for by her husband, the said Henry William Harris?

A.--I am so authorized.

3. Q.--By whom are you so authorized?

A.--By Mrs. Harris and her father.

And then they were directed to withdraw.

Ordered, That in the case of Harris's Divorce Bill, personal service upon Mrs. Eliza Walker, otherwise called Eliza Lock Walker, of a copy of the Bill and the Orders of the House, be dispensed with; and that service of the same upon her agent, Captain Frederick L. Ingall, be deemed good service.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by the Honourable Mr. Attorney General Draper,

Courts of  
Assize, Upper  
Canada.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to make further regulation for the Courts of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery, in Upper Canada, and to provide for the trial of prisoners under certain circumstances, be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 1.--Leave out "January," and insert "February."

" " " 4.--Leave out "second," and insert "last."

" " " 4.--Leave out "August," and insert "July."

" 4 " 25.--Leave out "Monday, the fifth," and insert "Tuesday, the sixth."

Press 5 Line 20.--Leave out "Thursday, the third," and insert  
"Friday, the fourth."

" " " 21.--Leave out "Tuesday, the fifth," and insert  
"Thursday, the sixth."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

On motion of Mr. Johnston, seconded by Mr. Dunlop,

Ordnance De-  
partment  
Lands.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that He will be pleased to cause to be laid before this House, copies of all correspondence and other documents on the subject of, and connected with certain Lands taken possession of by the Ordnance Department, and belonging to Nicholas Sparks, of Bytown, since the year 1840.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.<sup>1</sup>

On motion of Mr. Johnston, seconded by Mr. Ermatinger,

Charter of  
King's College.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to cause the proper officer to lay before this House, all communications which have passed between His Excellency and the Secretary of State for the Colonies, upon the subject of any proposed alteration in the charter of the University of King's College.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Petition of the  
Reverend A.  
Gosselin and  
others.

Mr. Murney, from the Committee of the whole House, on the Report of the Special Committee, to which was referred the Petition of the Reverend Antoine Gosselin and others, of La Ste. Famille, and other parishes in the island of Orleans, reported, according to order, the resolution of the said Committee;

which resolution was again read at the Clerk's table and agreed to by the House, and is as followeth:

Resolved, That the said Report be adopted.

Island of Orleans.                      Ordered, That Mr. Cauchon have leave to bring in a Bill to detach the island of Orleans from the county of Montmorenci, for the purposes of Registration of Titles, and to establish a Registry Office in the said island.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

Board of Works.                      Mr. Dunlop, from the Committee of the whole House, to take into consideration the propriety of amending the Act, erecting the Board of Works, and for imposing certain tolls on the said Works, and to limit the amount thereof, and for other purposes, reported, according to order, the Resolution of the said Committee; which was again read at the Clerk's table and agreed to by the House, and is as followeth:--

Tolls on Public Works.                      Resolved, That it is expedient to amend the Act, 4th and 5th Victoria, chapter 38, erecting the Board of Works, and to impose certain tolls on the Public Works, and to limit the amount thereof, and for other purposes.

Board of Works.                      Ordered, That the Honourable Mr. Attorney General Smith, have leave to bring in a Bill to amend the Act, passed in the fourth and fifth years of Her present Majesty, intituled, "An Act to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Montreal Harbour.                      Mr. Roblin, from the Committee of the whole House, to take into consideration the propriety of improving and enlarging the limits of the

(344)

Harbour of Montreal, and to authorize the Commissioners to borrow a further sum of money; to consolidate the Laws now in force; and for

other purposes, reported, according to order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to provide for the improvement and enlargement of the Harbour of Montreal, and to authorize the Commissioners to borrow a further sum of money; to consolidate the laws now in force relating to the same, and for other purposes therein mentioned.

Ordered, That the Honourable Mr. Attorney General Smith have leave to bring in a Bill to provide for the improvement and enlargement of the Harbour of Montreal; to authorize the Commissioners to borrow a further sum of money for that purpose; to consolidate the laws now in force relating to the same, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Rebellion  
Claims.

Mr. Price, from the Committee of the whole House, on the Bill to provide for the payment of Claims arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the duties on Tavern Licenses to local purposes, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Railroad,  
Province Line.

Mr. Duggan, from the Committee of the whole House, on the Bill to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province line, in the township of Stanstead, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Humber Harbour.

The Order of the Day for the House in Committee on the Bill to incorporate certain persons under the name and style of the President, Directors, and Company of the Humber Harbour and Road Company, being read,



*The House accordingly resolved itself into the said Committee.*

*The Honourable Mr. Small took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And the Honourable Mr. Small reported, that the Committee had made some progress, and directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Wednesday next.*

*Kingston  
Incorporation.*

*The Order of the Day for the second reading of the Bill, to repeal a certain provision of the Act incorporating the town of Kingston, and to provide for the assessment and collection of the district taxes in the said town, by a collector and assessor to be appointed by the district Council, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Chauveau took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Chauveau reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Profanation of  
the Lord's Day.*

*The Order of the Day for the second reading of the Bill to prevent the Profanation of the Lord's Day, commonly called "Sunday," in Upper Canada, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Thompson took the chair of the Committee,<sup>2</sup>*

COL. PRINCE said the Bill now applied only to Upper Canada, and the preamble, which set forth that the Lord's Day should be kept sacred, was concurred in by all the hon. members from that part of the Province. He read an extract from Blackstone's Commentaries which conveyed his

feelings in respect to this subject, and stated that at present there was no Statute in Upper Canada which prevented persons from following their occupations on the Lord's Day.<sup>3</sup>

MR. HALL referred to that portion of the bill which made it unlawful to attend public meetings and parading of Militia on Sundays. He had never heard of any such thing in Upper Canada, and was desirous that it should be struck out.<sup>4</sup>

COL. PRINCE said he had introduced it on the suggestion of the hon. member for Durham, but admitted he had never heard of anything of the kind, and consented to strike it out.<sup>5</sup>

MR. WILLIAMS said he had done so because he had understood the Bill was to be a general measure, applicable to both parts of the Province<sup>6</sup>. OR ((He)) declared that the bill provided against cases that he had never heard of in Upper Canada. ... Passing such a bill as this would rather reflect discredit on Upper Canada.<sup>7</sup>

MR. ROBLIN said that as hunting and shooting were to be prohibited, he thought fishing should be so also.<sup>8</sup>

COL. PRINCE gave as a reason why it should not, that in certain parts of the river Detroit, the run of the white fish took place at particular seasons, and it would be a hardship to prevent the fishermen, who were principally poor Frenchmen from making their harvest at that time, though they should infringe on the Sabbath day.<sup>9</sup>

MR. SMALL made some remarks on the inconsistency of this exception and said that it furnished another proof to his mind of the inexpediency of legislating on this subject. If the fish were not to be protected, why should the wild fowl be, or what greater sin was there in killing a snipe than in dragging for fish? He should, therefore, vote against the Bill, though in doing so, he should lay himself open to be charged, as he was at the last election, with seeking to desecrate the Sabbath.<sup>10</sup>

MR. RIDDELL agreed that there was as great a desecration in catching fish on the Sabbath as in shooting, and trusted the hon. member would allow fishing to be prohibited in his Bill.<sup>11</sup>

DR. DUNLOP proceeded to make some remarks on the Bill. In doing so, he wished to refer to the Third Riding of York, but could not recollect the name. He endeavoured to explain this to the House by saying that the hon. gentleman (Mr. Small) represented a "blackguard

constituency" in one of the Ridings of York, whose name he could not recollect.<sup>12</sup>

((MR. AYLWIN called Dr. Dunlop to order.))<sup>13</sup>

DOCTOR ((DUNLOP)) afterwards supported the exemption of the fisherman, which he considered was a necessity, and could be defended on theological grounds. He charged Mr. Small with seeking to hide a perfect indifference of the Sabbath under the cloak of excessive piety, and drew a distinction between shooting, which was generally an amusement, and fishing, which was nearly always an act of industry.<sup>14</sup>

MR. ROBLIN said that on the same ground - that of necessity they should exempt sugar making, which could only be done during a short time in the year. It was the same with many mills, which only ran for a short time in the year - with the harvest, which required to be gathered in a short time, and with many other things. In his neighbourhood the Sabbath was more desecrated by fishing than by anything else, and it led to scenes of riotousness and drunkenness of the worst kind. As it was, the bill would drive persons from other amusements to fishing, and he should be ashamed to meet his constituents if such a license were allowed. He also referred to the terms of the clause which prevented gambling for money, but left it at the liberty of persons to break the Sabbath by gambling for any thing else.<sup>15</sup>

COL. PRINCE said, he thought that the question was not properly understood in the House, and that in England and Scotland, where shooting was prohibited, fishing was regarded as a work of necessity, and was not. Sooner than lose the bill, however, he would consent to introduce the word fishing, though his own feelings were against it.<sup>16</sup>

MR. COLVILLE begged to correct a statement made by the Hon. Member for Huron. It was not true that in Scotland fishermen pursued their vocation on the Sunday. On the contrary, the fishermen on Lochfine, and the other herring fisheries, were in the habit of drawing up their nets on Saturday night, because they would not be allowed to take them up on Sunday.<sup>17</sup>

MR. SMALL denied that he sought to desecrate the Sabbath, and repeated his former arguments against the bill. He thought it very hard that the poor man should be prevented from killing the deer for his family on Sunday, when the fishermen could do the same with the fish. He also said that the class of fishermen in Upper Canada were the most degraded beings, and had no claim to such an exemption over either parties as this bill gave them.<sup>18</sup>

MR. AYLWIN made a long speech against the provisions of the Bill, arguing that the subject was one which ought to be left to the human

heart, and respecting which all human enactments must prove ineffectual.<sup>19</sup>

COL. PRINCE replied, remarking on the opposition which he had met with, which he had not expected after the operation of the Bill was confined to Upper Canada. He moved in amendment to strike out the words "for money" in one of the clauses, and to introduce the ((word)) "fishing" as was desired by the House.<sup>20</sup>

MR. PRICE made some remarks, suggesting that druggists should be exempted from the operations of the Bill.<sup>21</sup>

MR. HALL asked whether Indians were excepted?<sup>22</sup>

COL. PRINCE said they were not, but it was his intention to make them so. He (Prince) agreed in the necessity of exempting druggists.<sup>23</sup>

The Bill was then amended in accordance with these suggestions<sup>24</sup> .

(344)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Thompson reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Agriculture.*

*The Order of the Day for the second reading of the Bill, to continue for a limited time, the Act intituled, "An Act to repeal a certain Act therein mentioned, and more effectually to remedy divers abuses prejudicial to Agriculture," being read,*

*Ordered, That the said Order of the Day be discharged.*

*Upper Canada  
Loan and  
Trust Company.*

*The Order of the Day for the second reading of the Bill to amend and extend certain provisions of an Act made and passed in the seventh year of the reign of Her present Majesty, entitled, "An Act for incorporating and granting certain powers to the Upper Canada Trust and Loan Company," being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*



Mr. Price took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Price reported that the Committee had gone through the Bill, and made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Mr. Cameron<sup>25</sup> was introduced by MESSRS. BALDWIN and MORIN.<sup>26</sup>

((MR. CAMERON)) took his seat amidst enthusiastic cheering.<sup>27</sup>

(344)

Bytown Police.

The Order of the Day for the second reading of the Bill, to define the limits of Bytown, and to establish a Board of Police therein, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cameron took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cameron reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

(345)

Wild Fowl

Protection.

The Order of the Day for the second reading of the Bill to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent the trapping of Grouse and Quail in this Province, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonald, of Cornwall, took the chair of the Committee,<sup>28</sup>

The hon. member ((COL. PRINCE)) explained that the present was different to the measure he formerly introduced, - it had no special reference to the Sabbath, and was solely designed to prevent the extermination of the wild fowl of the country by rendering penal the present practice of destroying them during the season of incubation.<sup>29</sup>

DR. TACHE expressed himself much in favour of the Bill and spoke at some length on its probable advantages, among which he enumerated the preservation of the wild fowl of the country, and the consequent training of people to the use of arms; the latter advantage the hon. member regarded as very important.<sup>30</sup>

DR. LATERRIERE ((moved that)) the county of Saguen((a))y ... ((be)) exempted from the operation of the Bill<sup>31</sup> .

((This was agreed to.))<sup>32</sup>

(345)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Macdonald, of Cornwall, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Sheriffs' Fees.*

*The Order of the Day for the House in Committee on the Bill to regulate the fees of Sheriffs and other officers, in that part of this Province called Upper Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Hall took the chair of the Committee, and after some time spent therein.*

*Mr. Speaker resumed the chair,*

*And Mr. Hall reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the Committee have leave to sit again to-morrow.*

L'hon. MR. DRAPER<sup>33</sup> informe la chambre que l'orateur est sérieusement indisposé.<sup>34</sup>

(345)

Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.

Then, on motion of Mr. Macdonell, of Dundas,

The House adjourned.

FOOTNOTES - 10 MARCH 1845.

1. The MONTREAL GAZETTE, 13 March 1845, and BRITISH WHIG, 14 March 1845, mistakenly reported that Johnston gave notice of this Address rather than actually presenting the Address to the House on this day.
2. The debate on this matter was reported by: MONTREAL GAZETTE, 13 March 1845, in an account identical to that in the BRITISH WHIG, 14 March 1845; L'AUREORE, 15 March 1845; PILOT, 11 March 1845, which was copied by BROCKVILLE RECORDER, 13 March 1845. The BRITISH COLONIST, 18 March 1845, noted it.
3. MONTREAL GAZETTE, 13 March 1845.
4. IBID.
5. IBID.
6. IBID.
7. PILOT, 11 March 1845.
8. MONTREAL GAZETTE, 13 March 1845.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID., which added that his remarks "on this occasion were temperate and proper."
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. The debate on this matter was reported by: PILOT, 11 March 1845; and L'AUREORE, 13 March 1845. The PILOT fixes Cameron's introduction to the House at exactly this point, and so the report of it is inserted here rather than in the Appendix.
26. PILOT, 11 March 1845.
27. IBID.
28. The debate on this matter was reported by: PILOT, 11 March 1845, whose account was copied by BROCKVILLE RECORDER, 13 March 1845; LA MINERVE, 13 March 1845; and LE JOURNAL DE QUEBEC, 15 March 1845.
29. PILOT, 11 March 1845.
30. IBID.
31. IBID.
32. IBID.
33. The debate on this matter was reported by: L'AUREORE, 15 March 1845; and PILOT, 11 March 1845.
34. L'AUREORE, 15 March 1845.



TUESDAY, 11 MARCH 1845.

(345)

County of  
Oxford Election.

ACCORDING to Order, Louis Lacoste, Esquire, Member for Chambly, who was absent, yesterday, from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the city of Montreal, complaining of the undue election and return of Robert Riddell, Esquire, as a Member to represent the county of Oxford, attended in his place in this House.

Mr. Lacoste rose in his place, and stated his reasons for not being present at the meeting of the said Committee, and verified the same upon oath.

On motion of Mr. Prince, seconded by Mr. Chauveau.

Resolved, That Mr. Lacoste, having stated his reasons for not being present at the meeting of the Select Committee, for the trial of the contested election for the county of Oxford, and having verified the same upon oath, be now excused for such non-attendance.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Christie, the Petition of the Reverend William Arnold and others, members of the Church of England, in the mission of Gaspé Bay.

By Mr. Sherwood, of Brockville, the Petition of Andrew N. Buell, of Brockville, Esquire, (relating to a contract on the St. Lawrence Canal.)

Railroad, Pro-  
vince Line.

An engrossed Bill to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province line, in the township of Stanstead, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to incorporate the Saint Lawrence and Atlantic Railroad Company."

Ordered, That Mr. Brooks do carry the said Bill to the Legislative Council, and desire their concurrence.

Rebellion  
Claims.

An engrossed Bill to provide for the payment of Claims, arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the duties on Tavern licenses to local purposes, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to provide for the payment of Claims arising out of the late Rebellion and Invasion in Upper Canada; and to appropriate the duties on Tavern licenses to local purposes."

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

Upper Canada  
Loan and Trust  
Company.

An engrossed Bill to amend and extend certain provisions of an Act made and passed in the seventh year of the reign of Her present Majesty, intituled "An Act for incorporating and granting

certin powers to the Upper Canada Trust and Loan Company," was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to amend and extend certain provisions of an Act made and passed in the seventh year of the reign of Her present Majesty, intituled "An Act for incorporating and granting certain powers to the Upper Canada Trust and Loan Company."

Ordered, That Mr. Macdonald, of Kingston, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petition of A.  
Annis referred.

Resolved, That the Petition of Asa Annis, of the township of Whitby, in the Home district, be referred to a Select Committee, composed of

Mr. Duggan, Mr. Meyers, Mr. Gowan, Mr. Macdonald, of Kingston, the Honourable Mr. Small, and Mr. Hall, to examine the contents thereof and to report thereon with all convenient speed; with power to send for persons, papers and records.

Dues on the  
Chambly Canal.

Mr. Dunlop, from the Special Committee appointed to enquire into all matters and things connected with the management and collection of

Dues on the Chambly canal, with power to report from time to time, and other references, presented to the House the second report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix R.R.)

Report on the  
Petition of the  
Mayor, Alder-  
men and Citi-  
zens of Montreal.

The Honourable Mr. DeBleury from the Special Committee to which was referred the Petition of the Mayor, Aldermen, and citizens of the city of Montreal, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix S.S.)

(346)

Private Bills.

The Honourable Mr. Morin, from the Standing Committee on Private Bills, presented to the House the fifteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Benefit Building Societies.

The Standing Committee on Private Bills, and to which was referred the Bill for the regulation of "Benefit Building Societies," have the honour to Report:--

That they have ascertained that Societies for the same objects have existed in Great Britain for a number of years, and have been found to operate advantageously: several Acts of the Imperial Parliament have been passed to recognize and to regulate such Societies, and those Acts have been favourably considered by all parties.

The Committee also beg leave to refer to the evidence of Mr. John T. Badgley--(herewith.)

The Committee perceive, that the Bill referred to them, is of the nature of a Public Bill, and incorporating under its provisions, any like Society which may hereafter be formed in any place in the Province, and by any persons. In the infancy of such schemes on this side of the Atlantic, and in the absence of information among the public generally, of the constitution and working of such Societies, it might not be safe to entertain at present a measure which might lead to the formation of Societies without any responsibility, or even without honesty of purpose.

The Committee, therefore, respectfully beg to Report the Bill without further considering its details; a course which they have taken upon themselves to adopt, only because they have ascertained that the object of the persons interested in the passing of the Bill, might be equally attained by a measure more directly applying to them: the Bill is sought to be passed by a number of gentlemen of Montreal acquainted with the nature and operation of these Societies, and desirous of extending their advantages to this Province. Among those gentlemen, are the following:-- David Davidson, Esquire, Charles H. Castle, Esquire, J. T. Brondgeest, Esquire, John M. Tobin, Esquire, John Leeming, Esquire, and Mr. John T. Badgley. They had conceived that they would come under the provisions of the general Bill, introduced at their desire, and this is the reason why the usual notices have not been given before the opening of the Session. But as no exclusive privileges are demanded, and as the Law will affect only those who choose to become members, the Committee are respectfully of opinion, that the above named gentlemen and their associates, ought to be relieved from the want of the usual notices, in case they should come



under their names before your Honourable House, asking for a Bill of the same nature in their favour; and the Committee also recommend, that the rules of the House as to time, be also dispensed with in their favour.

From the well known character and respectability of the parties concerned, the Committee would have had no objection on that ground to entertain the Bill, had it come in the shape of a Private Bill intended for them.

*(Minutes of Evidence referred to in the preceding Report.)*

John T. Badgley, Esquire, of Montreal, called in and examined:--

1. Have these Societies ever been established in Canada before?--  
Not to my knowledge.

2. How long ago, and in what part of Great Britain do they exist?--  
They were first established in the Manufacturing districts in England about sixteen years ago.

3. What is the general opinion in England respecting these Societies, and are they well supported, and in good repute?--They have been found of great service, inasmuch as they encouraged economy and sobriety among the tradesmen and mechanics, thereby making them better members of Society.

4. Will you inform the Committee upon what principle this Society is formed, and for what objects?--The Society is formed upon the principle of a Trust and Loan Company; it is of a benevolent character, and intended to hold out advantages to individuals of moderate incomes, giving them means whereby they might invest a certain portion of their savings towards the purchase or erection of a dwelling-house, payable by a small monthly payment, which, instead of sinking in the shape of rent, is paid in interest to the Society, the profits of which he participates in, besides becoming the proprietor of his house in ten years.

5. How do you explain the manner of the Society running out in ten years, and what is its working?--The shares of the Society are £50; and the mode of payment is by applying 10s. per month per share, to the extinguishment of whatever number of shares may be subscribed: for example, an individual owns a piece of ground, but has not means to build his house; he estimates his house will cost him £200; he subscribes to four shares; and the Society, for the purpose of enabling it to close its affairs in ten years, takes off the first year's interest from the £200 viz., £12, leaving a balance of £188 for the subscriber to receive. This amount he discharges in ten years by



paying monthly 10s. per share, or £2 per month, or £24 per annum, including the interest. At the expiration of ten years, his house is his own, and his deeds are returned to him, when he participates in the profits of the Society, which consist of the interest accumulating, the bonuses, and the fines and forfeitures, less the expenses of management.

6. What are the advantages to an individual subscribing as an investment?--The advantages are these:--He not only receives full legal interest for his money, (as he could only obtain 3 or 4 per cent, elsewhere on such small sums,) but also participates in the profits of the Society at the expiration of ten years, formed by the accumulation of interest, bonuses, fines and forfeitures.

7. What is the amount of capital you expect to have, or that your Society will command?--The capital will be unlimited, as each subscriber becoming a member, must pay up all arrears on entering the Society; that is to say, pay up his monthly payments from the date of the formation of the Society, as the profits are equally divided among the members at the expiration of the ten years, so each subscriber must stand upon the same footing.

On motion of Mr. Boulton, seconded by Mr. Sherwood, of Brockville,

Petition of  
Council of  
King's College.

Ordered, That the Petition of the Council of  
King's College at York, near Toronto, in  
Upper Canada, praying to be heard by Counsel  
at the Bar of the House, in defence of the

Privileges, Property, and Rights, committed to their charge, which  
are proposed to be altered by the Bill now before the Legislature,  
respecting the said College, and that sufficient time be allowed them  
to prepare their case, be now read, and that the Rule of this House,  
of the twenty-eighth of June, 1841, be dispensed with, as to the present  
Petition.

The said Petition was read accordingly.

Debates having arisen thereon,<sup>1</sup>

MR. BOULTON, seconded by MR. DUGGAN<sup>2</sup>, moved that leave be granted to hear Counsel at the bar of the House in defence of the rights of King's College.<sup>3</sup>

MR. HALL wished to express his opinion upon this motion. He was opposed to it. He was opposed to all delay in the measure before the House, and he did not wish to see the time of the House taken up by hearing Counsel. He considered it altogether unnecessary. Members had

already been put in possession of the whole of the facts of the case. Pamphlet after pamphlet had been circulated upon the subject; and if Hon. Members wished to take the opinion of Counsel upon it, they had Attorneys General and Solicitors General, and ex-Attorneys and ex-Solicitors, enough in that House. He did not think the House would gain any benefit from hearing Counsel, it would have no other effect than that of putting off the measure, and it tended to that alone. He was opposed to any further delay, which could have no other effect than to create excitement; he therefore trusted that the House would go into the measure at once, and go through with it. If it were now put off, the House would not be one bit better prepared to go into the measure than it was at this time. It might be said that Hon. Members were anxious to go home and take the sense of their constituents upon the subject; he told them, that they ought to have done that before. He would like to know how they intended to obtain that opinion? did they intend to resign their seats, send out a manifesto of their sentiments, and thus, in their re-election or rejection, take the sense of their constituencies? He hoped that Ministers would go on with the measure; and if they carried it, it would do them more credit than any other measure which they had brought forward this session.<sup>4</sup>

MR. DRAPER thought, that the most convenient course would be, for the Hon. Member for Toronto to move an amendment upon the second reading of the Bill being proposed. He trusted that, upon consideration, his Hon. friend would withdraw his motion.<sup>5</sup> The adoption of it at present would prevent the discussion intended for that evening.<sup>6</sup>

COL. PRINCE would ask, whether the Counsel, whom it was proposed should be heard by the House, was in town or not?<sup>7</sup>

MR. BOULTON did not know.<sup>8</sup>

((COL. PRINCE resumed:)) The Hon. Member for Peterboro' had anticipated many of the remarks he was about to make, and he (Col. Prince) was induced to take the part he was about to do, by having heard that the Counsel who was to be employed was at that moment in Toronto. If that were the case, he would ask the House only to conceive of the delay which must take place in the settlement of this important question? If it consented to hear that learned gentleman, he could put no other construction upon this motion, than that it was intended to produce delay. If there were any Counsel in Montreal whom the parties interested were desirous should be heard, he would probably have voted in favour of the motion; but as nothing of the kind was the case, and as Counsel must be sent for from Toronto he would certainly give his vote in the negative. Nor did he think it at all necessary that the question should be argued by Counsel at the Bar of the House. It had been argued - most eloquently argued - before the Parliament which sat last session in Upper Canada. It was true, that many Members were now in the House

who were not then present, and who, therefore, had not had the benefit of the arguments employed by that learned gentleman<sup>9</sup>, the present hon. member for London<sup>10</sup>, which were enforced with great ingenuity, learning and judgment, but which did not at the time convince him that there was not some alteration required in the constitution of King's College. But let those Hon. Members who had not the benefit of hearing those arguments - as was said by the Hon. Member for Peterboro' - let them read the great number of pamphlets which had been foisted upon the House. He did not use the word foisted in an offensive sense, for they were sent down for the information of the House. He had read most of those pamphlets, and had obtained many valuable hints and much information from them, and he would recommend other Hon. Members, who desired to make themselves acquainted with the subject, to refer to them, and to refer to the speech of the learned Counsel to whom he had already alluded; he had said that speech was an eloquent one - so eloquent that he (Col. Prince) would defy any Counsel, even from the English bar - and no one was better acquainted with that bar than he had been some years ago - he said he would defy any member of the English bar to do more justice to his clients, than had been done by the learned Counsel who pronounced it. Let those who did not hear him, read his arguments. The House would receive no new light from new Counsel. Nothing but delay would be obtained, and the result would be this, that the present session would be passed over, and nothing would be done; while the Ministry, although he believed they were sincerely desirous of quieting the public mind by bringing this question to a decision, would be disgraceful in the eyes of the people of Canada. He called on the House to bring the question at once to a final settlement.<sup>11</sup>

MR. MOFFATT, after hearing what had fallen from the Hon. Member for Essex, hoped his Hon. friend from Toronto would withdraw his motion for the present, and postpone it till the second reading of the Bill was proposed. But he was really surprised to hear the Hon. Member to whom he had first alluded, object to Counsel being heard at the bar of the House. He would put this question to Hon. Members. - Suppose a person to be wrongfully in possession of an estate, would a Judge eject him from it without hearing Counsel in his favor? He (Mr. Moffatt) believed he would not; and upon that account he should entertain the motion of his Hon. friend, and would not proceed without legal assistance. He had not had the advantage of hearing the discussions which had taken place last year on this subject, but though, no doubt, it had been then very ably handled, yet he did hope, that the parties concerned would have an opportunity this Session also, of sending counsel to the bar who would be capable of doing justice to their clients. He thought that the House ought to hear the parties at the bar; but while he said that, he wished it to be distinctly understood that he offered no opinion on the measure now brought under consideration. He only desired to proceed, at least, with the semblance of justice, to avoid depriving this institution of its property until the House had heard

what its guardians had to say on the subject. He again desired it to be understood, that he gave no opinion upon the measure before the House. He was not prepared to give his vote on it till he had heard what there was to be said upon it by those whom its operation would effect.<sup>12</sup>

MR. MURNEY said, that when this matter was first introduced to the House, he had put a question to the honorable gentlemen on the Treasury Benches, and he understood that they would be prepared to give him an answer upon the second reading of the Bill as to whether or not they would press the measure forward during the present Session. If they were prepared to say that they would not go on with the Bill this Session, he would recommend his honorable friend to withdraw his motion; but if not he would certainly advise him to proceed with it. He (Mr. Murney) thought it presumption to suppose that this University was to be deprived of what its members conceived it to be entitled to, without being allowed to defend the claim. It was very true that a very eloquent defense had been made last Session in Upper Canada, but he understood that a great part of the influence which might be supposed to have been exerted by it, would be lost, from the fact that the honorable gentleman who had been so excellent an advocate for the Institution on that occasion, was the very person to whose cares was entrusted the present measure to deprive the University of what they at least conceived to be their just rights. The hon. Member for Essex had talked about reading the speech made upon the occasion referred to. Was he (Mr. Murney) to understand that a Member of that House was to be appointed to read that speech at the bar? The honorable gentleman had told the House that it was an eloquent speech; if so by all means allow it to be read, in order that the argument contained in it might be understood. He did hope and trust that the matter would be deferred in justice to the College, in justice to the University, and in justice to those who usually sustained the honorable gentlemen on the Treasury Benches on all matters connected with the Administration. For his own part, he was very desirous of sustaining those gentlemen, but he did think, that out of deference to those of their supporters who wished this matter to be disposed of in such a way as to give them an opportunity to make up their minds on this question, important and momentous as it was - he did think that some consideration should be shewn for those who had so good a right to be consulted.<sup>13</sup>

MR. ((ROLLAND)) MACDONALD (Cornwall) would vote for the motion of his learned friend from Toronto, if he thought its real object was only to have this matter fully sifted; but he believed that his intentions were to throw overboard the measure for the present session; he would therefore oppose him. As he had said before, if he could think that the only desire was to obtain additional light on the subject, and that only a reasonable time was required for that purpose, which would not



jeopardize the loss of the bill, he would be ready to hear counsel as long as they choose to speak. He would move in amendment that the following words be added to the motion, - "That the space of six days, be allowed to the petitioners for that purpose." Before he sat down, he would make one remark in reply to what had been said by one gentleman about the speech which had been delivered on a former occasion by one of the members of the present Government. That speech was made by an individual, who was the advocate of a particular party, employed by them to support their interests; but now he appeared as the Member of a deliberate body, and consulted the convictions of his own mind alone. He (Mr. M'Donald) thought that distinctions should be borne in mind by Hon. gentlemen on either side of the House. He was perfectly satisfied whatever speech was made, that it would never change a single vote; yet, for the purpose of preventing the parties interested from saying that the House would not hear them, he would vote in favour of the motion with the amendment he had just proposed.<sup>14</sup>

The Solicitor General (West) ((MR. HENRY SHERWOOD)) believed that the question to which the motion of his Hon. friend for Toronto had reference was one of great importance - one to which both sides of the House would approach when the proper time arrived, with that intention to act with deliberation, liberality and justice, which ought to actuate a legislative body under such circumstances. Without at all entering into the merits of that question, and without declaring what course he intended to adopt, he would confine his remarks to the proposition immediately before him. Situated as he was, he felt a considerable embarassment (sic) in dealing with the subject in hand. He found himself associated with a Government who he was perfectly satisfied were acting with a sincere desire to settle a dispute which had created so much agitation throughout the country; as far as he had an opportunity of judging of their sincerity, he felt that every action and measure which they took, was taken with an honest desire to settle this question on the best and firmest principle, to give satisfaction to the people of the Province, and to tranquilize the excited feelings which prevailed in the community. When he saw a Ministry so disposed, whatever his own private feelings might be, he could not withhold from them his meed of praise for the desire which they manifested to accomplish so excellent a purpose; but at the same time, with reference to the practical mode of carrying out these designs, he must be guided in a great measure by the voice of his constituents. When the question had been brought up by another Ministry, he had found that a proposition similar to the one just made, was at once acceded to by the Government, who had on that occasion generously manifested a desire to give an opportunity to those interested, to urge their objections, and to let the country and the House see what was the tendency of the measure to be passed. The Hon. Member for Toronto was taking the very same course which had been taken on that occasion, as would be found in reference to the Journals. It would there be seen that he had moved the question of Counsel being

heard and that no opposition whatever was offered; and that any time was allowed which might be required by the Counsel of the University to prepare to be heard by the House. He was ready to vote on this question, because he conceived that it contained a request which involved a mere act of justice. The petitioners were trustees for managing this public trust; they had applied to the House to be heard; and without any regard to the measure itself or to either of the conflicting parties, he could not think that this small act of justice ought to be denied them. At any rate, it would be a satisfaction to him to have the Yeas and Nays on the question; he was sorry that it should be necessary to take them at all, but if there must be a division, he would be happy to record his vote in favour of the petitioners. In doing so, he should have the support of his constituents. He had letters from them which stated that they had not yet had time to express their opinions on the subject; they were desirous that he should not be their representative simply - not their mere delegate - but that he should judge for himself on the subjects which came before him; he could not, however, do so, unless he were allowed the means of forming a correct opinion, by hearing both sides.<sup>15</sup>

DR. DUNLOP did not concur with his Hon. friend the Solicitor General in what he had stated in this matter; he (Dr. Dunlop's) ideas of representation were different - totally different - different toto caelo from those of the Hon. gentleman. If the majority, or if an influential member of his constituents were to send to him to do something which he did not consider right, he would go on with the course which he did consider right; and having done so, and gone through with it, he would then resign his seat, and tell his friends to re-elect him, or to choose some other man who they thought would better represent them. He did not conceive - to use the words of his Hon. friend - that he was the mere delegate of his constituents. No, Sir! said the Hon. Member, I would not degrade myself by coming here as the delegate of any constituency. I come here as the representative of the County of Huron, and not only as the representative of the County of Huron, but as the representative of every rood of land between that Lake and Gaspé. As to the question in hand - as to giving permission to the Council of the College to be heard by Counsel, he (Dr. Dunlop) believed that every man must perceive it was only what was commonly called - a vulgar term must be used to express a vulgar thing - humbug. If the question were not settled that night, it would have to lie over till the session was finished; if that was what the Hon. gentleman desired, let him say so; let him move that the Bill be printed, and then wait till the next meeting of Parliament for its discussion. He (Dr. Dunlop) would not have any very strong objections to that course on general grounds, but on particular grounds he certainly had; for he thought it one of those measures which the sooner they settled the better. Many Members of the House must remember the heart-burnings and disputes which the discussion

about the Clergy Reserves caused in this Province; they would remember that the people were for years and years all struggling and striving, and that every section of the population was trying to get those Reserves to themselves. They must also remember how he treated the matter when it was finally settled. He, as a Presbyterian, thought himself unjustly dealt by; but, as a loyal subject of her Majesty; and a peaceable inhabitant of Upper Canada, he thought it was well the question was determined, and that whether he was justly or unjustly dealt by, it was well that it was over. He felt the same thing now, said the Hon. gentlemen: let the matter be settled - settle it as you will or as you may, I shall bow with submission to the fiat of the Legislature and I am convinced that all the people of U. Canada - at least all the right thinking part of the people - will go with them in saying, this matter which has caused so much strife, ill-will, and animosity among us, has now been settled by Act of Parliament, and ratified by her Majesty; and that being once done, there is an end to it forever. Let there be no more of that hostile feeling which has agitated us for so many years. When the Bill comes to be discussed in Committee, I shall have an opportunity of giving my opinion on its subject matter. Let it go into that Committee, and do not delay it in order to give time for Counsel to come down from Toronto. I am told that a very eminent one is already harnessed and ready to start; but I am convinced that nothing which he can say will alter one single vote on this side of the House or on the other side. He may speak with the tongues of men and angels, but we have all made up our minds, and it will produce nothing but delay, but that delay will throw the whole measure overboard for the session, and at the next the chapter of accidents may so order it, that some of us may be here and some elsewhere, and the matter will have to be taken up again from the beginning. I say, Sir, that we have already experienced, during this session, the inconvenience of arguing subjects twice, when once would have been quite sufficient. We have never found out any new arguments, but have had to hear a reiteration of the same speeches a second time. Therefore, let us devote this night to the discussion of this question, and let us sit, if necessary, for three or four hours longer than usual, and get it settled now, and having settled it, I promise you that you shall hear nothing more of it from me, whether it be properly or improperly decided. When once the majority has given its decision, I shall bow with submission to it, and shall never again mention the subject, and when I say so, I say it in the name of every right-minded man in Upper Canada.<sup>16</sup>

The Solicitor General (West) ((MR. HENRY SHERWOOD)) said, that the Hon. Member for Huron had misunderstood his (the Solicitor General's) remarks with regard to representation. He had distinctly said that the people whom he represented did not wish their Member of Parliament to be considered as the mere delegate of his constituents. When he came



forward, he was influenced by no public opinion, but took his own judgment for his guide. But when this request was made for a little delay, for the sake of enquiry he thought it only right to defer in some measure to the wishes of the people.<sup>17</sup>

MR. BOULTON remarked, that it had been said by the Hon. Member for Essex, that he believed this motion was nothing else than an attempt to get rid of the question altogether. He could assure the House that such was not his object; he had been intrusted with the petition which they had heard read, and he had been requested to move that the counsel of the College should be allowed to be heard at the bar. He found it was usual in such cases to take the course which he had taken - to move that counsel be heard previous to the second reading of the bill. He believed in no instance, certainly on none with which he was acquainted, had such an application been refused. The motion had been opposed by Hon. gentlemen who complained that the course taken was not an open nor a fair one. He could not see the grounds for that objection, because at present he had only moved that counsel should be heard, but on the second reading of the bill being proposed, whenever that might be, he should move that it be deferred to a convenient time, in order to give an opportunity for counsel to prepare himself and to bring forward his arguments. If the House were of opinion that counsel should be heard, it would then grant the proper time for that purpose - it would grant one day, two days, or six days, as it pleased, or defer the second reading to a reasonable time. With regard to the remarks of the Hon. Member for Montreal, he would assure that gentleman that there was no man from whom he would sooner adopt a suggestion than from himself, but in this case he could not agree to postpone his motion; he would still press the question, - whether or not the House would recognize the right of parties interested, to be heard at its bar? As he had said before, the course he was taking was in strict accordance with Parliamentary practice; if the House passed his motion it would be his duty - after hearing the remarks of the Hon. Member who introduced the bill on the second reading - to obtain from the House sufficient time for the desired purpose. - He should not therefore withdraw his motion, unless it could be shown that he was not acting according to the practice in similar cases, or unless he found that the sense of the majority of the House was against his proceeding. The Hon. Member who had proposed the amendment had limited the time during which counsel should be heard to the space of six days; now, if the parties were to be heard at all, it would not do to bring up the bill for second reading after so short a delay as that. Why allow any time at all, if only so short a time could be granted? He had heard that counsel was already on his way from Toronto and if that were the case, perhaps two days would be sufficient, certainly not more than four would be required; but if counsel were yet to be appointed, six days would evidently be insufficient for him to arrive and for him to prepare himself. He should not think of



appointing any counsel here to advocate such an important case - he did not conceive himself at all empowered to do so; and under those circumstances he did hope that the Hon. mover of the amendment would not offer further opposition to his motion. When he carried the motion for the hearing of counsel, a discussion would probably arise whether the authorities of the College should or should not be communicated with.<sup>18</sup>

MR. DRAPER said the Hon. Member for Toronto appeared to suppose, that he opposed the hearing of counsel; now, the only part he had taken in the matter was, to beg his Hon. friend to withdraw his motion until the time when the bill should come up for second reading.

MR. ((GEORGE)) SHERWOOD, of Brockville, before the motion was withdrawn, wished to say that he believed it was the practice to determine upon whether counsel should or should not be heard previous to the second reading of the measure opposed. It had been said that it was the custom in such cases, when the second reading came up, to move that the Bill be not now read a second time, but that it be deferred to give time for the hearing of counsel. Such, however, was not his opinion; he did not think that it was competent to make such a motion in amendment upon the motion for second reading. He based this opinion upon the Parliamentary practice of England, and that which had obtained in Upper Canada.<sup>20</sup>

MR. GOWAN said, that the Hon. and learned gentleman the Solicitor General and the Member for Toronto had told the House that the motion was in accordance with the Parliamentary practice of England; and the Members for Montreal and Hastings had declared that the House would deal most unjustly with the petitioners if their prayer was denied; but he was prepared not only to vote against both the motion and the amendment, but to justify that vote, as in accordance with strict justice and predicated upon the Parliamentary practice of England. He was prepared to show that the English practice was the very reverse of that which Hon. gentlemen had stated it to be. It had been said that there was no instance of a Corporation sought to be disfranchised, having been refused the privilege of appealing at the Bar of the House against the measure proposed. Now, he was prepared to show that there was scarcely an instance in which it had been granted, and in nine cases out of ten it had been refused. So inconvenient was the hearing of counsel at the Bar found, and so detrimental to the progress of the public business, that the practice was entirely abandoned; and it was in the present allowed only in those cases where specific statements were made, and then only before Committees. The only exception to this rule was in Bills of Divorce. It was not many years since that the whole of the Corporations of Ireland were disfranchised, and their privilege as freemen taken from them, a privilege which they derived so long back, that its antiquity could not be traced to a source, and yet every

appeal which they made to be heard by counsel in opposition was denied to them. It might have been that injustice was done to them, but such was the decision of the Parliament of England. Again, in England in 1831, when certain boroughs and Corporations were disfranchised and deprived of rights which they had exercised for centuries, they were not only refused to be heard upon Schedule A, which disqualified them, but upon Schedule B. It appeared from the Journals of the Imperial Parliament, which he held in his hand, that upon the 12th of July, by the bye a remarkable day, a petition was presented from the inhabitants of the Borough of Appleby, setting forth that by an error made in the return of the assessment they had been put into Schedule A and were disqualified, instead of being placed in B, and entitled to send one Member to Parliament. Upon a motion being made to allow the petitioners to be heard by counsel, it was opposed by Lord John Russell, upon the ground that they had not made out a case to justify such an allowance; and the Bill not being one of pains and penalties, he saw no reason why Counsel should be heard. It was also opposed by the Attorney General and Mr. Harvey, and the motion was finally rejected by a large majority. It was said, in the debate upon that motion, that the object of the petitioners was to create delay, and he (Mr. Gowan) contended that the honorable gentleman who made this motion had no other object in view. That gentleman was opposed to the measure, he would oppose it through all its future stages, and this motion was neither intended for the purpose of amending the University Bill, not to facilitate the intentions of those who had brought it in; but to quash the measure, to give it what was called a six months hoist. He was convinced of this by the remarks of the honorable gentleman, when he said that six days were of no use, for he was not authorised to engage Counsel in Montreal, but he must consult with King's College. If honorable gentlemen were prepared to resist legislation upon this subject, why did they not come out openly and boldly and meet it upon its merits, and fight it upon them, and not attempt, by a side wind, to destroy it. The petitioners might just as reasonably have come down to that House and asked it to defer this measure for twelve months, for that was, in reality, the meaning of the motion, for if it passed the question could not be taken up until next Session. He contended further, that if King's College had a right to be heard at the Bar of that House in defence of its property - if the statements contained in hundreds of petitions presented from time to time to that House were true - then he contended that there were other denominations who had a stronger and a juster right to be heard. (Cheers.) If the allegations contained in those petitions were true, the endowment of that College had been wrested from the rightful owners, and they had just as great a right to be heard in defence of a measure which purposed to restore to them that of which they alleged they had been clandestinely, and improperly deprived. He (Mr. Gowan) had no desire to hear Counsel on this occasion; his own mind was made up, and he was prepared to vote against the motion before the House. Honorable gentlemen ought to be

able to judge and decide for themselves; they ought not to need any paid advocate to shape their cause or tell them their duty; they ought to be able to see the truth, and they ought to have the manliness to advocate it.<sup>21</sup>

MR. MEYERS said that, if the object of the present motion was to prevent legislation upon this measure this Session, he would vote against it, and he said it with regret, because he thought that the claim of the petitioners to be heard at the Bar of that House was a reasonable one, and one which, under ordinary circumstances could not be refused with any show of justice. But this was no new question; it was one which had been argued before, and one which had been too long agitated to be unexpected. If the University only desired to be heard, it would have had its Counsel upon the spot; but he was satisfied that the desire was not so much to be heard, as to delay the measure. The mover of this motion had told the House that Counsel was not prepared; it would be therefore necessary to send to Toronto, and some time must be given for Counsel's preparations. It was said that the same time ought to be given now as was given upon the previous occasion, because the precedent was established. And so it might be if this were a new question, but under present circumstances he thought differently. It was a question which had been before the people of Upper Canada a long time; it was a sore and troublesome question; a question which was discussed at elections, and which the people felt must be settled. He believed that by this measure, injustice would be done to the Church of which he was a Member, but yet he was prepared to go into it at once, because he felt that it ought to be, and must be, settled while it was yet possible to do so.<sup>22</sup>

MR. JOHNSTON would vote against both amendments. The question before the House was a Ministerial one, and he considered that to Ministers it ought to be left to decide whether or no (sic) there should be a postponement. He was aware with what pleasant anticipations Members on the Opposition Benches regarded the Ministerial Benches, at that time, but he could tell those Hon. gentlemen that there was not so much division in the camp as they fondly supposed. Members upon his side of the House might differ in opinion upon certain occasions, but it would not be to upset the Ministry. For his own part he considered the measure before the House as one upon which there ought to be no legislation. It was a question similar to the division of the Clergy Reserves, and was gathering all the greedy vultures in the country to feed upon the carcass of poor old Mother Church. (Laughter.) It put him in mind of the anecdote of a Welch parson who was preaching to his congregation one Sabbath, when news came that a vessel had been driven on the coast and wrecked; the Reverend gentlemen ordered the Sexton to lock the Church door, and slipping off his cassock, cried out to his parishioners "Now then, let us all start fair." (Laughter.) And the College established by the King's Charter, was to be pulled down and parcelled out in the same



manner. He said it was an unjust spoliation; and it would be just as fair and reasonable for Ministers to fix a day when every man of property was to bring his title deeds and money to a given spot, and there allow the rest of the country to divide them as they thought fit, as to allow the property of King's College to be cut and carved as was proposed.<sup>23</sup>

MR. MURNEY said that if the amendment of Mr. M'Donald was passed, he should move in amendment thereto that "six days" be struck out, and "one month" inserted. He would beg to say, notwithstanding what had fallen from the Member for Cornwall, that the course taken by the Hon. gentleman from Toronto, who had charge of this petition, was the correct one. He fell back upon the precedent established during the last Session when the Parliament sat in Upper Canada, and he would ask Ministers if it was to be said that the friends of King's College in that House, who had also been found, until now, supporting the Government, received on this occasion, less courtesy at their hands than they received at the hands of the Member for the 4th Riding of York, when at the head of an adverse administration? (Cheers.) When this question was brought up then, the same request was preferred as at the present time; but instead of its having been met with objections, instead of there having been the slightest disposition to deny it, Mr. Baldwin, then Attorney General, had come forward at once and generously granted it. Counsel was held at the bar, and he said his colleagues listened patiently to all the arguments preferred against the measure. (Hear! Hear!) And now he asked, was it to be said that the supporters of the present administration were to receive less consideration at its hands than it received at the hands of their opponents? He should be sorry indeed to find that such was the case; and if it was, the sooner it was known to those supporters the better. (Hear! hear!) The Member for Leeds had accused those who asked for this delay, as being determined to oppose the measure in all its stages. He would thank that Hon. gentleman not to prejudge, but to reserve his anticipations until they were based upon something like facts. He (Mr. M) did not wish that the impression should go forth to the country that he was determined to oppose the Bill, for he had no such intention; but he wished that Counsel should be heard upon it - he wished to do justice, and to pay that attention to the highly respectable body to be affected by this measure, which it desired, and had a right to expect. (Cheers.) There was a wide difference between the motion before the House, and the six months' hoist spoken of by the Member for Leeds: the latter was never voted for without the principle of a measure was disapproved, which was not the case now: the motion was only what it proposed to be, a motion to obtain the hearing of Counsel at the Bar of that House. Hon. gentlemen thought proper to scoff at the idea of King's College being consulted in this matter. (Hear!) He would ask them, whose interests were to be sacrificed by it? In the opinion of King's College it was their interests, and those of the Church to which they belonged, which were to be made the subject of spoliation. Why, then, he asked, were they not to be consulted - why were they not to be allowed to appeal against that which they considered



a grievous wrong, and an unconstitutional meddling with rights beyond the authority of a Provincial Legislature? Was it to be said that there had been time enough given for this measure to be known to them, and to examine into its details? No! there had not been. It was but a few days since it had become known; it was not until the speech made by the Attorney General for Canada West at London, that any certain information was given upon the subject. Was it then unreasonable that King's College should ask for a little time to consider the proposition, or to propose such amendments as, in its opinion, are advisable for the welfare of the Church at the head of the religion of Upper Canada?<sup>24</sup>

Oh! oh! - "The Head"?<sup>25</sup>

He ((MR. MURNEY)) trusted that Members would pay this deference to the opinion and wishes of those friends of the Institution, who were also their supporters; and not compel them to say that they had received less courtesy, and less justice too, from their hands, than they heretofore received from the hands of their opponents, and the opponents of their Church.<sup>26</sup>

MR. BOULTON said that he had no doubt the College would send down Counsel, and it might be even now upon its road, as the Bill had reached Toronto the day after he left it. But if the College should neglect to do so, he was not authorised to engage Counsel in Montreal.<sup>27</sup>

MR. DUGGAN said, Hon. gentlemen had thought fit to impugn the motion of those who supported the motion for Counsel to be heard, and imputed to them intentions which were not warranted. He considered the motion as a most reasonable one and entitled to be so received by the House; and he deprecated any Hon. Member taking upon himself to say what were the intentions of its supporters, other than those which appeared upon its face. The motion was for the hearing of Counsel on behalf of King's College against an Act which proposed to take from her a Royal Charter, and to despoil her of her property, by dividing her endowment. But the Hon. Member for Leeds said it was to defeat the Bill; and remarked how much more manly it would be to come forward openly and grapple with the merits of the question, than thus to attempt to give it a six months' hoist. But he would tell that Hon. gentleman that those who stood forward, and tried to delay it were more bold; the measure is a popular one, and he who attempts to thwart it shows more boldness and more courage than he who meets it on its merits. But such was not his wish; his desire was to see justice done. The quotations of the Member for Leeds had no application to the present case; the University had a direct personal interest in this question; it was about to be dissolved, stripped of its endowment, and that endowment transferred to others; and it was only just and reasonable that it should be heard when its rights were to be interfered with. For his own part, the question was not new to him; he had studied it in all its phases, and he was prepared to vote upon

it; it was not therefore, upon his own account that he asked for delay, but as a matter of common fairness that Counsel should be heard before the rights of King's College were disturbed. It was a privilege which had been granted before, and if circumstances had transpired which would render such an allowance inconvenient, there was no reason why members of that House should not get up and advocate the justice and fairness of the prayer. In his opinion it ought to be granted, but he would regret exceedingly if the delay of a month were granted; he considered that time too long, and if it were moved he would oppose it. He thought it was not necessary to define any specific time. The simple question before the House was the prayer of the petition, and whether that prayer ought to be granted and not the merits of the Bill, or whether the granting of that prayer, would be convenient or inconvenient. It was a matter of justice that the petitioners should be heard, and the delay consequent thereon was a subordinate and inferior question. The question for the House to consider was, whether it was a just, fair and reasonable request that King's College should be heard by Counsel at the bar of the House? If the House was of opinion that it was, then the second reading of this Bill ought to be postponed. But if it considered that it was not expedient to grant the prayer of the petitioners, then it was its duty to go on with the Bill. He hoped, however, that it would be granted, and a reasonable delay allowed.<sup>28</sup>

MR. ERMATINGER said that it was his intention to support a motion that Counsel should be heard. If the minds of honorable gentlemen were so completely made up as to be inaccessible to argument as asserted by the Member for Huron, it was not worthwhile to discuss the question, and they had better proceed to the vote upon the second reading at once. (Cheers.) But he was not constrained to confess that his mind was not made up upon this subject, nor did he approve of the principle of making up his mind upon any question until he had heard both sides of it. He wished to hear Counsel in this matter; not because it would occasion delay but because he considered that King's College had a right to expect that consideration from Members of that House, which had been granted to her before. If all discussion was to be closed, except upon one side - if the interests of the College were not to be advocated at that bar - then it would be better to carry out the principle thoroughly, and go to the vote at once. (Cheers.)<sup>29</sup>

MR. DICKSON regretted that the motion of the Member for Toronto should have been made at this time. He regretted that it had not been deferred until the second reading of the Bill, to have allowed Her Majesty's Ministers to have taken part in the debate, and to have stated their views upon the question. He desired to be regulated in the vote which he should give upon this occasion by the wishes of the Administration. If they desired to carry out this measure this Session, they should have his support. The measure was one which was long called for, and the settlement of a question which had been too long agitated in the Province

would have the effect of tranquilizing the minds of the people. With regard to the postponement of the measure for one month or for one day, if that postponement would have the effect of throwing it over until the next Session, and keeping up religious excitement, he would oppose it, unless the Administration came forward and said that they desired it, and were prepared to assume the responsibility. If Ministers rose in their places, and said that they desired, or were willing to consent to a postponement, he would support them. But they must place Hon. gentlemen in this position, that if called to account by their constituencies for having voted for a postponement, they may be able to say, "You sent us to Parliament to support the Administration, we have done so; we voted for this at their request, and upon them be the sin and responsibility." (Cheers.) Let Ministers act up to the legitimate principles of Responsible Government, and they should have his vote. He had no objection that counsel should be heard at the Bar of that House if counsel were in the city prepared to appear. But he must say from what had fallen from Hon. gentlemen that it was his honest conviction that the intention of the motion was to give the go-bye to the Bill for the next twelve months. (Hear.) He would have no objection to hear counsel to-morrow, or next day, but as to delaying any lengthened period, such as must be if they waited for counsel to come from Toronto, it was impracticable, without throwing the measure over until the next Session. He was averse to this vexed question being again committed to public discussion, and becoming the occasion of further religious excitement for twelve months, when it could be now settled finally. He therefore hoped that the mover of the original motion before the House would withdraw it, and allow it to come up at the second reading, so that Ministers might be allowed an opportunity of stating their views upon this important question.<sup>30</sup>

MR. GOWAN moved the order of the day, in order to get rid of both the motion and the amendment<sup>31</sup> .

((There was)) some conversation<sup>32</sup> .

The Speaker ((SIR ALLAN MACNAB)) decided that the motion could not be put in that stage of the discussion.<sup>33</sup>

MR. ((ROLLAND)) MACDONALD, (Cornwall) viewed the motion in the light in which the Hon. mover himself wished it to be viewed; he would assume that the real object of the motion, was in fact, to have Counsel heard on behalf of the petitioners. No doubt, then, they had Counsel ready in this city, with his brief made out and quite prepared to appear at the bar. He (Mr. M'Donald) was not to be supposed to know anything of what took place out of doors - he was not to know any thing about a law professor in King's College coming down here - he had a right to conclude, when these people asked leave to have their cause advocated by a legal gentleman, that they had some one at this moment ready to address the House. That was the view he took of the matter, and he should therefore,



as far as he was concerned, allow no farther time than six days for this purpose. He would tell the Hon. Member for Toronto, that if the amendment was not carried, he (Mr. M'Donald) would vote against the motion; that unless he was contented to take that, he would get nothing more. He felt that he and his friends were placed in a humiliating position with regard to the other side of the House. He had never felt so humiliated before -<sup>34</sup> .

Hear, hear, from the Opposition<sup>35</sup> .

((MR. ROLLAND MACDONALD resumed;)) he could well imagine how gentlemen opposite would enjoy the little difficulty in which his (Mr. M'Donald's) side of the House found itself<sup>36</sup> .

Loud Opposition cheers<sup>37</sup> .

((MR. ROLLAND MACDONALD resumed:)) he trusted however, that Ministers would never stand in need of the assistance of those gentlemen on that occasion, or upon any other - (renewed cheers and laughter.) He trusted - he begged that his Hon. friend for Toronto would withdraw his motion, and he would advise him to do so, because he would find it better to allow his own friends and the friends of the Church to legislate on the subject, than its enemies. If they did not legislate upon it, it would be done by those who would not treat the Church with that tenderness which he was sure the promoters of the present Bill would feel for her. He hoped his Hon. friend would pause before he consented to become the means of introducing the gentlemen to whom he referred to the Treasury Benches - (Cries of order.)<sup>38</sup>

MR. DRAPER said he rose in consequence of some of the remarks of the hon. member for Niagara.<sup>39</sup> It appeared that the Hon. Member for Toronto was resolved that this motion should be put at once; and as that was the case, he deemed it to be his duty to come forward and to make a statement which he had intended - and which he would have wished to postpone. In the first place, he desired it to be understood, that this measure, so far as he was concerned, would be fairly put through the House during the present Session, if the Ministry could command a majority to carry it; and, in the next place, for himself and his colleagues - with one exception, who would speak for himself - this would be, to all intents and purposes, a Government measure. They were prepared to take all the responsibility and to stand or to fall by it, so that if gentlemen who professed to be friends of the Ministry had made up their minds to give the Bill what was called a six months' hoist, they must make up their minds to give their friends a hoist out of office at the same time. (Hear, hear.) He said the responsibility of this Bill being thrown out or not, would not rest upon his shoulders or upon those of the honorable gentlemen who were prepared to sustain the Ministry; it would be the act of those by whose means the Bill would be postponed, or the consequence of a vote of the



House expressive of its disapprobation of the principles it contained. He did not ask honorable gentlemen to pledge themselves to the details of the Bill, but he said, that the principle of throwing open the doors of the University for the education of all classes of Her Majesty's subjects must be carried out. Hon. Members would have the opportunity of disputing that principle upon the second reading, and if they pleased they could delay it, but, for his own part, he felt bound to state that if he voted for the amendment now before the House, he should be placing himself in a false position - he would be compelled to vote on the main motion, for a delay which he thought no one was entitled to ask for. If the honorable gentlemen who had brought forward this motion had allowed him the opportunity of expressing his views on the second reading, or if he had asked that Counsel should have been heard upon one measure only, he (Mr. Draper) would have been prepared to tell him how far he could go in the way of consenting to postponement, but he could not consent to a delay which would endanger the measure. He should, as he had before remarked, do his best to carry the Bill this Session, and if he could not do so, he would be prepared to take the course which would be adopted by a Ministry of the Crown in England under similar circumstances. --(Cheers.)<sup>40</sup>

MR. GOWAN moved the orders of the day, and in doing so he would take occasion to make a few remarks in answer to what had fallen from the Hon. Member for Hastings. That gentleman had said, that he thought the Ministry ought to show some respect to those friends of the University who had supported them from the commencement of the Session. He (Mr. G.) would make no allusion as to who did, or who did not, support the administration in that House, but he would put the question to the Hon. gentleman himself, whether there were any constituency within his own knowledge, his own not excepted, where any gentleman could have a chance of being returned upon the undertaking that he would leave this question unsettled?--(Cries of No, no,) Then, sir, (said the Hon. Member) if he appeals to Caesar to Caesar he must go; and if the Hon. gentleman appeals to the electors, I tell him - from what I know of the people of Upper Canada - that no man - no matter how great his popularity - no matter how great his interest - can be returned, if he come before his constituents and say that he is prepared to leave this great question untouched. The Hon. gentleman also told us that there was a great difference between a six months hoist, and this motion for hearing counsel. But I ask the Hon. gentleman, does he expect this House will be in session at the end of one month from this date? if not, is not the motion one, which in effect would postpone the question for six months? I contend that it is, and I for that reason object to it. Then the Hon. Member has said that there was no analogy between the cases cited by me, and the case of King's College now under consideration. I ask what were the interests involved in that case? - Sir, the interests involved were those which 2,000 freemen possessed in the elective franchise. I put it to the House. - I ask the Hon. Member himself, if those people had not as

deep a stake, as sacred property, in the rights and privileges, conceded to them by royal charter, as any faculty of any College can have in any grant. If there be any distinction it must certainly be in favour of the Appleby burgesses. It must be within the recollection of many Hon. Members, that King's College was, in the first place, incorporated by a royal charter, in which the Church of England was prominently put forward; and it must also be remembered, that Parliament subsequently, took away all the exclusive provisions from that charter; and that this was done without having any counsel at the bar of the House, in the sight - yes! under the very eyes and care of the counsel of the College, yet they did not then protest against the deprivation of their exclusive powers. If you want analogy, what stronger case can be found than that in which the Parliament of Upper Canada took away all the rights conveyed by Royal Charter to this very College, and placed it under the control of the provisions of a Provincial enactment. If the Members of that Parliament had a right to take those steps, have we not a right to do the same? An Hon. Member had also talked about this Bill as a new measure. Now, I contend it is no new measure, but one founded on the same principles, as those on which the measure was founded which was introduced during the last session by the Honourable Member for the Fourth Riding. The principle upon which it was founded, involved this simple question, shall the University Education be open to all classes of her Majesty's subjects, or shall it be confined to those who belong to the Church of England. The principle of this Bill I say is the same; and if some of the details now brought forward for the first time be judged objectionable, let them be amended in Committee of the whole. If, however, gentlemen are prepared to go before their constituents, and to tell them that they resist the principle of this Bill, let them do so - let them take all the responsibility - all I contended for is, that the principle of the Bill is not new, but one which is well understood, and has been long considered by all parties in Upper Canada, and that the Bill itself has been so well known in this Parliament, as to remove any plea of ignorance as to its leading features.<sup>41</sup>

(346)

*Mr. Gowan moved, seconded by Mr. Riddell, that this House do now proceed to the Orders of the Day.*

MR. MOFFATT felt, that he must vote against the amendment of the Hon. Member for Cornwall, because to vote for it, was tantamount to voting against hearing Counsel at all; and he thought the House could not decide without first doing so. He repeated the proposition which he had before submitted to the House, - whether, even if parties were wrongfully in possession of an estate, the law would deprive them of it without first giving them a hearing? To refuse to give them time to be heard, he took to be one and the same thing, and he would therefore, urge his friend from Cornwall, to extend the time he had proposed. If sufficient time were afforded, the amendment might stand some chance of

being carried, if it were made 10 or 12 days he would vote for it, but to limit the time to 6 days, was tantamount to a denial of justice altogether.<sup>42</sup>

MR. RIDDELL said, if the motion for hearing Counsel would have the effect of putting off the measure until next Session, he would vote against it. But if its rejection, by the amendment of the Member for Leeds, would give the Attorney General for Canada West an opportunity of explaining his sentiments upon the measure without negating the right of King's College to be heard by Counsel, he would vote for it now, with the understanding that the other would come up again.<sup>43</sup>

MR. LAFONTAINE wished to be understood as not expressing any opinion upon the merits of the measure, although others had done so; he should be prepared to go into them when the proper time came. He wished to know from Ministers if they intended to vote upon the amendment of the Member for Leeds. If they were prepared to afford the opportunity asked for the hearing of Counsel, let them say so, and take the responsibility of the postponement. It was their own measure, and one which had been adverted to in the opening speech from the Throne, more than three months before. If they desired to proceed with the discussion of its merits at once, Members upon his side might perhaps join them; but they wished to know distinctly the wishes of the Administration before they voted either one way or the other.<sup>44</sup>

MR. ATT. GEN. DRAPER said this was a question which had not been put before. The Member for Niagara had asked whether they desired the postponement of the measure over this Session, and whether Ministers took the responsibility of it; to these questions he had given explicit answers. With regard to the postponement for the purpose of hearing Counsel, when it had been put, he wished it to be deferred until the second reading of the Bill, and then moved as an amendment to the motion for that reading. Had that request been complied with, he would not have been found, as now, differing with those who usually acted with the Government. The consequence of the motion of the Member for Toronto would be to put a stop to the progress of the Government in this measure, and to prevent that explanation of their sentiments upon it at this time, which they were anxious to give. He, therefore, desired, unless that measure were withdrawn, that the amendment of the Member for Leeds should prevail, in order that he might be able to lay before the House the views of the Administration upon a question of such importance.<sup>45</sup>

MR. ((HENRY)) SHERWOOD suggested that Mr. Boulton should withdraw his motion, and give the Government the opportunity it desired; that done, it would be coupetent (sic) for it to be offered as an amendment to the motion for the second reading.<sup>46</sup>



MR. BOULTON said he would not consent to withdraw it. He had no such wish to embarrass (sic) the Government, nor did he see that this motion would have the effect of preventing the second reading being moved by the Hon. Attorney General, and giving him the opportunity he desired to make the explanation he proposed. If his motion carried it would still be competent for the Attorney General to proceed to the second reading, and he (Mr. B.) would then move what time should be given for the appearance of Counsel, on behalf of King's College, at the Bar of that House. If the motion he proposed would have the effect of preventing the progress of the Attorney General he might withdraw; but as he considered it would not, he should persist in it.<sup>47</sup>

MR. COLVILLE said if he understood the English language, the motion of the Member for Toronto would prevent the Attorney General from proceeding with the second reading of the Bill, until the Counsel of King's College should appear and be heard at the Bar. Under these circumstances he should vote with the Member for Leeds.<sup>48</sup>

(346)

*The question having been put on Mr. Gowan's motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Brooks, Cameron, Cauchon, Chabot, Chalmers, Chauveau, Christie, Colville, Cummings, Daly, DeBleury, DeWitt, Dickson, Attorney General Draper, Drummond, Dunlop, Foster, Gowan, Greive, Hale, Hall, Jessup, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS,

(347)

Macdonell of STORMONT, M'Connell, Merritt, Méthot, Meyers, Morin, Nelson, Papineau, Powell, Petrie, Price, Prince, Riddell, Roblin, Rousseau, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Thompson, Webster, and Woods--  
(64.)

NAYS.

Boulton, Duggan, Ermatinger, Johnston, Moffatt, Murney, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Small, Watts, and Williams.--(12.)

*So it was carried in the affirmative, and*

Ordered, accordingly.<sup>49</sup>



Kingston  
Incorporation.

Mr. Chauveau, from the Committee of the whole House, on the Bill to repeal a certain provision of the Act, incorporating the town of Kingston, and to provide for the assessment and collection of the district taxes in the said town, by a collector and assessor, to be appointed by the district Council, reported, according to order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Profanation of  
Lord's Day.

Mr. Thompson, from the Committee of the whole House, on the Bill to prevent the Profanation of the Lord's Day, commonly called "Sunday," in Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Limits of  
Bytown.

Mr. Cameron, from the Committee of the whole House, on the Bill to define the limits of Bytown, and to establish a Board of Police therein, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Wild Fowl  
Protection.

Mr. Macdonald, of Cornwall, from the Committee of the whole House, on the Bill to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent the trapping of Grouse and Quail in this Province, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

King's College.

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, copies of two Despatches on the subject of King's College.

And the said Despatches are as followeth:--

1. From Lord Goderich to Major General Sir John Colborne, K. C. B., Lieutenant Governor of Upper Canada, dated 2nd November, 1831.
2. From Lord Glenelg to the same, dated 7th June, 1835.

(COPY.)

No. 53.

DOWNING STREET,

2nd November, 1831.

SIR,

Amongst the subjects which your correspondence, public and private, with this Office, has brought under my notice, there is none more important than the question of public education, and particularly that part of it which relates to the existing constitution of King's College, at York.

There can be no doubt that that Institution was established with the view of giving to the Province of Upper Canada, the benefit of complete instruction in all the higher branches of knowledge, and of connecting, in the minds of the Provincial youth, those associations which belong to the seat of early education, with their future progress in life; and it is greatly to be regretted, that anything in the constitution of the establishment should have tended to counteract, if not to defeat, this laudable design, and practically to deprive the Province of the advantage which was anticipated from its adoption. It cannot, however, be denied, that the exclusive and restrictive character given to King's College, has had this effect, and a plan which was intended to bring together and to harmonize, in the pursuit of the common object of useful knowledge, all classes of His Majesty's subjects, has had the opposite effect, of causing uneasiness, complaint, and dissension. It is obvious, in this state of things, (too notorious to require detailed proof,) that it is the duty of His Majesty's Government to consider what course of policy is most likely to remedy the evil, and to insure to the Province a real enjoyment of the advantages intended to be conferred on it. Had the recommendations of the Canada Committee of the House of Commons, upon this subject, been successfully followed up at the time they were submitted by you to the Provincial Legislature, under the instructions given to you by my Predecessor, and had the restrictive clauses of the Charter been then removed, there is every reason to presume that such a course would at once have proved satisfactory and effective. Even now that measure appears to afford the most easy and simple means of meeting the difficulty of the case; and without entering into a discussion of the probable causes of the delay in carrying the recommendations of the Committee into effect, some additional facility for now adopting them may be found in the circumstance, that whilst no positive steps have been yet taken for

giving to King's College any practical existence, the new College, which you have established, has been forwarded with considerable activity, and is now open for the instruction of youth.

It may therefore be assumed, that experience has demonstrated that, under the peculiar circumstances of Upper Canada, a College with restrictive tests is altogether inoperative for any useful purpose, and that all that is wanted is such a system of regulations to be established by a law of the Province, for the management of the Institution of the Upper Canada College, as may give to it the requisite extension and development, without subjecting it to any qualifications calculated to render it unpopular in the eyes of those various classes of the community for whose benefit, as well as for that of the Church of England, it is established.

I am confirmed in this latter observation by referring to a resolution of the House of Assembly of the 20th March, 1829, in which the following opinion is pronounced upon the advantages likely to result from the establishment of the Upper Canada College:

"Resolved,--That this House trusts that no hoped-for modification of the present Charter will suspend the exertions of His Excellency to put into operation Colborne College: and by the observance of those liberal principles, which His Excellency has already been pleased to patronize and recommend, to open, with as little delay as possible, opportunities of Education no way inferior to those contemplated by the proposed University."

(348)

Under these circumstances, I am to convey through you, to the members of the Corporation of King's College, the earnest recommendation and advice of His Majesty's Government, that they do forthwith surrender to His Majesty the Charter of King's College of Upper Canada, with any lands which may have been granted to them. I persuade myself that the counsels which are thus given to that body, in the spirit of the most perfect respect for all the individuals by whom it is composed, will not be disregarded; and it is on that assumption that I proceed to notice the ulterior measures which, upon such a surrender, it will be convenient to adopt.

It can scarcely be necessary to say, that no part of the endowment of the College would ever be diverted from the great object of the education of youth. It must be regarded as a fund sacredly and permanently appropriated to that object. I presume that the general concurrence of all classes of society may be anticipated in favour of the erection of a new College upon a more enlarged basis.



As it is the intention of His Majesty to manifest his desire, that the internal concerns of the Province, should, as far as possible, be regulated by its own Legislature, I abstain from instructing you with any particularity on the subject of the general regulations which it may be expedient to apply to the government of the new College.

They will, doubtless, be well considered by the Legislature, and adopted in a spirit of justice, mutual harmony and good will. But there is one object to which I must direct your attention, and which you will not fail specially to recommend to the consideration of the Legislature; I mean the permanent establishment in the College, upon a secure footing, of a Divinity Professor of the Church of England. This is a matter of great importance to those of His Majesty's Subjects in Upper Canada who belong to the Church of England; and His Majesty, as Head of that Church, cannot be insensible to the duty which belongs to him of protecting it in all parts of his dominions. It is not from any desire to give an undue preponderance to the Colonial members of that Church, either as regards the College in particular, or the concerns of the Province generally, that His Majesty has this object at heart; but when His Majesty cheerfully recommends the surrender of a charter which the Crown was lawfully and constitutionally entitled to grant, on account of the dissatisfaction which its exclusive character has created, he feels an entire confidence that his faithful subjects, the members of the two Houses of the Legislature of Upper Canada, will see nothing in his anxiety for the specific object to which I refer, but a proof, that whilst he is most desirous of remedying all real grievances, and removing all just grounds of discontent, he is not forgetful of those interests to which he is peculiarly bound to attend, and which His Majesty is sure can be attended to in this instance without prejudice of any kind to any other class of his subjects.

I shall await with much solicitude your report of the result of the communication which I have now made to you. I am well aware of the jealousies, not to say animosities, which have been engendered in the Province by the agitation of this question; and it is scarcely to be expected that those feelings can all at once subside with the cause that gave them birth, - nor can I conceal from myself that there may be prejudices and habits of thinking, which may not easily be reconciled to the adoption of the new system; but it cannot be the interest of any class of Christians to be an object of jealousy, perhaps of dislike, to those, who differing upon certain points of doctrine and discipline, find themselves debarred by the effect of that difference, from an equal share of advantages universally desired, because universally beneficial.

It will be your special duty to use every exertion to impress upon all classes, the incalculable importance of looking at all questions of this description with moderation and forbearance. The members of the Church of England should recollect the peculiar situation in which they



stand, in the midst of a population, of whom so large a proportion differ from them in religious opinions; how much that situation exposes them to the chance of painful collision with large masses of their fellow subjects, and how much the extension of their own Church depends upon the absence of all grounds for such collision. Those who, on the other hand, differ from them, ought not to forget the causes which drew to the Church of England the marked countenance of the British Parliament upon the first establishment of a Legislative Assembly in Canada. Many ancient and laudable associations of feeling and long attachment to the Established Church, whose rights and privileges centuries of legal and constitutional possession had consolidated, created a natural predilection in the English Parliament for the National Church, even in the more remote possessions of the Crown; and if a difference of circumstances in Upper Canada has prevented such sentiments from taking extensive root there, every religious man, be his mode of faith and his views of Church discipline what they may, must feel that the interests of Religion and its concomitant morals cannot prosper amidst heart-burnings and jealousies.

If therefore it be fitting to call upon the Church to forego the exclusive advantages which the present Charter of King's College confers upon it, it is no less incumbent upon all other classes of Christians to receive the boon tendered to them, in that conciliatory spirit by which alone His Majesty's subjects can be united by those common ties of mutual attachment which constitute the strength and mature the prosperity of nations.

I have, &c.

(Signed) GODERICH.

Major General Sir J. COLBORNE,  
K. C. B. &c. &c. &c.

---

(COPY)

No. 16.

DOWNING STREET,

17th June, 1835.

SIR,

I have received your Despatch, dated the 6th May last, No. 14, enclosing copy of a Bill for amending the Charter of King's College, Upper Canada, which was passed by the House of Assembly, and rejected by the Legislative Council in their last session. You express your persuasion

that no law for the amendment of the College Charter will be enacted by the Provincial Legislature; but state, that you "entertain no doubt that the existing Charter may be so modified by the interposition of His Majesty's Government, as to leave in essential points, no just ground for dissatisfaction on the part of either House." You state that you have informed the Legislative Council and House of Assembly, that you would strongly recommend to His Majesty's Government to sanction the opening of King's College, and express your hope that the course which you have suggested may be adopted.

As I find it impossible to act upon the recommendation which you have thus tendered to His Majesty's Ministers, I think that I shall best discharge my duty by announcing to you that decision without delay or hesitation.

I am not aware what may be the grounds on which you anticipate the acquiescence of the House of Assembly in such an amended Charter as you have proposed; on the other hand, the reasons for apprehending their strenuous resistance are obvious, and to me at least appear conclusive.

First. Your plan departs in every one essential particular from that which the House of Assembly, in their last session, sanctioned by their votes. It is not likely they would be satisfied to have their judgment overruled by the direct interposition of the Royal authority.

Secondly. The Earl of Ripon referred the matter to the discretion of the Provincial Legislature. They would scarcely be otherwise than displeased with the retraction of his Lordship's offer.

Thirdly. The decision of such a question by His Majesty's Advisers in this Kingdom would be condemned with plausibility, and not indeed without justice, as a needless interference in the internal affairs of the Province.

(349)

Finally. The supposed amendments, even if they had not been preceded by any controversy or debate on the subject, could hardly fail to give umbrage to the House of Assembly. Without, of course, claiming a very intimate acquaintance with the state of public opinion in Upper Canada, but chiefly adverting to the accounts which have reached me through the public journals of the proceedings of the Assembly in their last session, (and except from those journals, I am without the means of forming such a judgment,) I should think it impossible that the scheme which you have proposed could ever be carried into execution. It is contrary to the whole tenor of the recent resolutions of the Representatives of the people to suppose, that they would acquiesce in giving to the Church of England permanently so many as five members in the governing body of the College,

of which, according to your plan, the entire number would only be seven; especially when the Lieutenant Governor of the Province is to occupy one of the two remaining seats, and Archdeacon Strachan is, for the present at least, to fill the seventh. The magnitude of this trust is enhanced by the consideration that it is proposed to place under the controul of the Council the management of all the revenue and expenditure of the College, and the establishment of all rules for granting degrees in Divinity, while to His Majesty is confided the making of all such rules as are to regulate the education of the pupils. I cannot hesitate to express my opinion that this plan claims for the Established Church of England privileges which those who best understand and most deeply prize her real interests, would not think it prudent to assert for her in any British Province on the North American continent.

It is with the most lively regret, that I have heard of the dissensions on this subject between the Legislative Council and the House of Assembly. I would respectfully and earnestly impress upon the members of both those bodies, the expediency of endeavouring, by mutual concession, to meet on some common ground. Especially would I beg the Legislative Councillors to remember, that if there be any one subject on which, more than others, it is vain and dangerous to oppose the deliberate wishes of the great mass of the people, the system of national instruction to be pursued in the moral and religious education of youth, is emphatically that subject. It remains for me only to acquaint you, that His Majesty refers back again to the Legislative Council and Assembly, the consideration of the subject of amending the Charter of King's College. If there should prevail between those bodies an irreconcilable difference of opinion, and if they should concur in addressing His Majesty to assume the decision of the controversy, His Majesty will be most happy to interpose as a Mediator for the adjustment of the question, upon such principles as appear to him best adapted for promoting the general interests of all classes of his subjects in the Province, and in a manner the most consonant with the general views and feelings of the inhabitants at large. Except in compliance with such a joint application, His Majesty will not think it expedient to resume the decision of a question which, by His Majesty's commands, Lord Ripon referred to the judgment of the Provincial Legislature.

I have, &c.,

(Signed)

GLENELG.

Major-General Sir J. COLBORNE,  
G. C. B., &c. &c. &c.

Ordered, That three hundred copies of each of the foregoing Despatches be printed in the English and French languages for the use of the Members of this House.



University of  
Upper Canada.

*The Order of the Day for the second reading of the Bill for erecting a University, by the name and style of the University of Upper Canada, being read,*

*The Honourable Mr. Attorney General Draper moved, seconded by the Honourable Mr. Daly, that the said Bill be now read a second time.*<sup>50</sup>

MR. DRAPER ... hoped he should not be considered to waste the time of the House, if in doing so, he should endeavour to open some of the larger considerations involved in the measure, which it would be proper and even necessary to go over, before any conclusion could be arrived at, which would be just in itself, or satisfactory to the people of the Province. These considerations, perhaps, in themselves would lie in a narrow compass, but they were extended - not so much by the principles which they involved as from the many difficulties which surrounded them, which were created by the agitation of the public mind on these subjects. That agitation had been caused in a great measure by the fact, that the people of the Province had been accustomed to look upon this matter as undetermined, from the date at which the Charter was first granted up to the present time. For although from the moment the Crown had declared its determination on the subject of the Charter which had been granted - although from that moment, he said, the question might be considered a settled one, yet all who were acquainted with the state of the country knew full well, that from the time when the Charter was communicated up to the present day the country had not considered the question finally disposed of; and, that between the time of the first promulgation of the Charter up to the passing of the Act of 1837, it had been considered unsettled, not only by the people of Upper Canada, but by the Provincial Parliament, the advisers of the Crown, and even by the Home Government. He mentioned these things merely as an apology for what might otherwise be considered an unwarrantable intrusion on the time of the House, in the remarks which he was about to make. He could desire at this moment nothing more, than, that every man would consider this measure, not with reference to his own wishes, or his private feelings, but as viewed in connection with the public interests which were at stake, and which were so dependent upon the just, and speedy settlement of this question. For my own part, said the hon. gentleman, I may safely say, that if there be one question more than another which if it were possibly consistent with my sensh (sic) of public duty I could wish to avoid, it is this one. Or if there be any one thing, which more than another, would make me hail with joy a retirement from public cares to private life, it would be the desire to escape from the reponsibility (sic) of this measure - I know no measure, the cares of which would make me so anxious to take that course. But it is my bounden duty especially connected as I am with a Ministry which grounds its proceedings on the principles contained ... ((in)) the resolutions of 1841, I say it is my bounden duty, not to shrink



from any great question which concerns the welfare of the country. I stand in such a position, that I must either stand or fall by this measure, upon which I have made up my own mind, and upon which my colleagues have made up theirs. The hon. gentleman went on to remark, that it was possible, he might not be able to command the support of the majority of the House upon the great and important measure now brought before it, but at the least he could say, that it had been framed with an anxious desire to meet this great question, which must be settled sooner or later; and which if it were not settled at once, would only go on, gathering strength from day to day, and from year to year till it came down at last, with a force, which he warned the House there would be no power to withstand. He appealed to the past experience of the country, and he called upon hon. members who were acquainted with its history, to say whether (sic) it would be possible to defer (sic) or delay a measure which agitated the public mind, even when that measure was of a merely political character, without incurring very serious difficulties. And if that were the case when mere political questions were involved, how much more would it be so, when in addition to political points of difference, questions of a religious nature were raised also. Of all questions which could agitate the public mind - of all questions which could depose Administrations, or which could deprive a country of all its peace and tranquility, he knew none so dangerous as those which affected - he would not say the religious principles - but the religious prejudices also of a people. If then, this question had assumed this form, and he appealed to hon. members who were acquainted with the past experience of the country, whether it had done so or not - if he said it had assumed this form of religious controversy, was it not on that account the more imperatively necessary to settle it? Or if on the other hand, said the hon. member, we at present can only see the storm gathering in the distance, let us not wait till we find it bursting over our heads, before we exert ourselves to provide a remedy. The hon. gentleman continued. - It was for the reasons which he had already stated, that he conceived he had no alternative but this, either to try to deal fairly with this great question at once, or to retire from the Councils of the Province; there was no other alternative unless he had wished to throw the brand of discord into the community. His sole wish and anxious hope, was to procure a final settlement, and none ever could be final, unless it was founded upon principles which the people of the country could approve. In referring to the history of this important question, it would be necessary to occupy a short time, in looking back on what had passed, in order to draw from that source the means of ascertaining, what would be the surest, best, and safest course for the future. He would not go so far back, as to enquire into the questions which once agitated the public mind, as to how far the appropriation for the purposes of King's College, was consistent with the appropriation for the purposes of education, which had been made in the years 1797, and 1798; it was enough for him to assume that it was the will and desire of the Crown to appropriate specific quantities of land for the purpose of giving the advantages

of a University education to all classes of Her Majesty's subjects. That intention was unequivocally expressed as might be seen on reference to dispatches from the Home Government on the subject as well as by inspection of the minutes of the Executive Council previous to the Charter of King's College being granted. He might venture to say - and in fact it would be found, that it was intended to afford the means of a literary and scientific education - in fact of such an education as was usually afforded at Universities, with all that belonged to it, to all classes of the community. He did not believe it could be proved that the land which now forms the endowment of King's College was originally intended to be granted to the exclusion of any class of the people. - It was intended to be open to all; for he was now speaking, and it was necessary that he should be distinctly understood, of the state of the question, at the time when it was first determined to appropriate this land, before any Charter had been granted to King's College. He believed it was impossible to take up that Charter, and after reading it to deny that by the force of its provisions King's College was made a Church of England establishment - no man, he said, could examine that Charter, and then say that it did not make this establishment exclusively a Church of England one. - In the first place a Bishop was to be its visitor and the dignitary of that church, and no other person but a dignitary, was to be the President; it required in the next place that the professors should subscribe to the 39 articles of the Church of England, and lastly it provided that the degrees in divinity should be conferred by a convocation to be regulated in the same manner as that of Oxford. Now taking all those facts into consideration, he held that it would be folly to deny that this University was intended to be strictly a Church of England University - as much so as the University of Oxford; perhaps not quite so much, because with respect to students the Charter did not provide any test, but rather left the door of education open to all parties, subject only to the regulations of the College Council. Such a charter would have been satisfactory enough if it could only have accomplished the object which the grant was intended to provide for; that is to say, the education of all classes. God knew that he would have been glad to see it stand as it then stood, God knew that he would have been glad that this question should not have been brought before the House; but as that was not the case - as a necessity now existed for dealing with it, he would beg hon. gentlemen to make themselves masters of the history of this question from that moment. There was one fact, or rather two or three facts which it was necessary to consider; from the moment the charter was first made known to the people of Upper Canada, from that moment the opinions of their representatives were expressed with regard to it, he spoke under correction - but he believed he was right in saying that repeated majorities would be found from that time to this, all declaring by their votes that this charter was not in accordance with the wishes of the people of this country, while not one vote could be found of a contrary sense. He spoke as he said under correction but to the best of his belief the statement which he had just made was essentially true. If then the Home

Government, for it was by the Government of George the 4th that this charter was granted - if, he said, the home Government had intended that coute qui coute this charter should establish a Church of England University, and that no other but a Church of England University should receive a charter, the moment the question was raised in Canada there would have been a declaration of the opinion entertained by the Imperial Government. It would have been said that such a Charter and such only would the Crown grant - such and that only was the appropriation which it would consent to. If that principle had been intended to be adopted - if it had been designed to grant a charter only to an Institution which should be essentially of a Church of England character, then it might be expected that there would have been an expression of that opinion at the earliest possible period. That, however, was not the fact, for the earliest despatch on the subject, (if his memory rightly served him,) was written in the month of September, 1828. Now let honourable members look at the charter, and they would find that it was not so long after the date of that document, that this despatch was written, as to admit of the belief that there could have been any forgetfulness on the part of the Government as to the principles which had actuated them in granting it. They must have known whether the principle to which he (Mr. Draper) had adverted, was the one on which it had acted at first, and which it would be prepared to sustain to the last. They were not prepared to sustain that principle, but instead of doing so, there was a distinct declaration on the part of the Home Government, which expressed to the Governor General the desire of His Majesty to grant no charter contrary to the wishes of the people of the Province. At a later period - three years later - a short period when the history of the country, in relation to this question, was considered, another despatch, which he had brought down with him, was written, he had obtained permission to bring that down because he was desirous of communicating to the House as much information as it was in the power of the Government to afford, and because an honourable gentleman near him had moved for an address asking for the production of despatches. He trusted that the House would consider it in its possession, permitting him in the meantime to make use of it for the purposes of this description. This despatch which he believed had been communicated to the authorities of King's College, was written at a period when the intentions of Government were of so comparatively modern and recent date, that no hesitation could have been possible in England as to the principle upon which it was determined to establish this College. He would read the whole of the despatch, because he could not omit any part of it consistently with his desire to put the House in possession of the views of the Home Government in 1831. The honourable gentleman then read as follows: -

"Amongst the subjects which your correspondence, public and private, with this office, has brought under my notice, there is none more important than the question of public education, and particularly that part of it which relates to the existing constitution of King's College at York.

"There can be no doubt that that Institution was established with the view of giving to the Province of Upper Canada the benefit of complete



instruction in all the higher branches of knowledge, and of connecting, in the minds of the Provincial youth, those associations which belong to the seat of early education, with their future progress in life; and it is greatly to be regretted, that anything in the constitution of the establishment should have tended to counteract, if not to defeat, this laudable design, and practically to deprive the Province of the advantage which was anticipated from its adoption. It cannot, however, be denied, that the exclusive and restrictive Charter given to King's College, has had this effect, and a plan which was intended to bring together and to harmonize in the pursuit of the common object of useful knowledge, of all classes of His Majesty's subjects, has had the opposite effect, of causing uneasiness, complaint, and dissension. It is obvious, in this state of things, (too notorious to require detailed proof,) that it is the duty of His Majesty's Government to consider what course of policy is most likely to remedy the evil, and to ensure to the Province a real enjoyment of the advantages intended to be conferred on it. Had the recommendations of the Canada Committee of the House of Commons, upon this subject, been successfully followed up at the time they were submitted by you to the Provincial Legislature, under the instructions given to you by my predecessor, and had the restrictive clauses of the Charter been then removed, there is every reason to presume that such a course would at once have proved satisfactory and effective. Even now that measure appears to afford the most easy and simple means of meeting the difficulty of the case; and without entering into a discussion of the probable causes of the delay in carrying the recommendations of the Committee into effect, some additional facility for now adopting them may be found in the circumstance, that whilst no positive steps have been yet taken for giving to King's College any practical existence, the new College which you have established has been forwarded with considerable activity, and is now open for the instruction of youth.

"It may therefore be assumed that experience has demonstrated that, under the peculiar circumstances of Upper Canada, a College with restrictive tests is altogether inoperative for any useful purpose, and that all that is wanted, is such a system of regulations to be established by law of the Province for the management of the Institution of the Upper Canada College, as may give to it the requisite extension and development without subjecting it to any qualifications calculated to render it unpopular in the eyes of those various classes of the community for whose benefit, as well as for that of the Church of England, it is established."

The honorable gentleman here remarked, that the Upper Canada College was and still is an institution distinct from the University of King's College, and was a place for education for boys who after going through the proper course of study there leave the 7th form to enter King's College as undergraduates; therefore the observations he had just read showed the opinion of the Home Government, that such an institution ought to be for the benefit of all classes. He then proceeded with the reading of the despatch: -



"I am confirmed in this latter observation by referring to a resolution of the House of Assembly of the 20th March, 1820, in which the following opinion is pronounced upon the advantages likely to result from the establishment of the Upper Canada College.

"Resolved, - 'That this House trusts that the hoped for modification of the present Charter will suspend the exertions of His Excellency to put into operation Colborne College; and by the observance of those liberal principles, which His Excellency has already been pleased to patronize and recommend, to open, with as little delay as possible, opportunities of Education no way inferior to those contemplated by the proposed University.'

"Under these circumstances, I am to convey through you, to the Members of the Corporation of King's College, the earnest recommendation and advice of His Majesty's Government, that they do forthwith surrender to His Majesty the Charter of King's College of Upper Canada, with any lands which may have been granted to them. I persuade myself that the counsels which are thus given to that Body, in the spirit of the most perfect respect for all individuals by whom it is composed, will not be disregarded, and it is on that assumption that I proceed to notice the ulterior measures which, upon such a surrender, it will be convenient to adopt.

It can scarcely be necessary to say that no part of the endowment of the College would ever be diverted from the great object of the education of youth. It must be regarded as a fund sacredly and permanently appropriated to that object. I presume that the general concurrence of all classes of Society may be anticipated in favour of the erection of a new College upon a more enlarged basis.

"As it is the intention of His Majesty to manifest his desire, that the internal concerns of the Province, should, as far as possible, be regulated by its own Legislature, I abstain from instructing you with any particularity on the subject of the general regulations which it may be expedient to apply to the government of the new College.

"They will doubtless, be well considered by the Legislature, and adopted in a spirit of justice, mutual harmony and good will. But there is one object to which I must direct your attention, and which you will not fail to specifically recommend to the consideration of the Legislature, I mean the permanent establishment in the College, upon a secure footing, of a Divinity Professor of the Church of England. This is a matter of great importance to those of His Majesty's subjects in Upper Canada who belong to the Church of England, and His Majesty, as head of that Church, cannot be insensible to the duty which belongs to him of protecting it, in all parts of His Dominions. It is not from any desire to give any undue preponderance to the Colonial members of that Church either as regards the College in particular, or the concerns of the Province generally, that His Majesty has that object at heart, but when His Majesty cheerfully recommends the surrender of a charter which the

Crown was lawfully and constitutionally entitled to grant, on account of the dissatisfaction which its exclusive character has created, he feels an entire confidence that His faithful subjects, the members of the two Houses of the Legislature of Upper Canada, will see nothing in His anxiety for the specific object to which I refer, but a proof that whilst he is most desirous of remedying all real grievances, and removing all just grounds of discontent, he is not forgetful of those interests to which he is peculiarly bound to attend, and which His Majesty is sure can be attended to in this instance without prejudice of any kind, to any other class of His subjects.

"It will be your special duty to use every exertion to impress upon all classes, the incalculable importance of looking at all questions of this description with moderation and forbearance. The members of the Church of England should recollect the peculiar situation in which they stand, in the midst of a population, of whom so large a proportion differs from them in religious opinions; how much that situation exposes them to the chance of painful collision with large masses of their fellow subjects, and how much the extension of their own Church depends upon the absence of all grounds for such collision. Those who on the other hand differ from them, ought not to forget the causes which drew to the Church of England the marked countenance of the British Parliament upon the first establishment of a Legislative (sic) assembly in Canada. Many ancient and laudable associations of feeling and long attachment to the Established Church whose rights and privileges centuries of legal and constitutional possession had consolidated, created a natural predeliction in the English Parliament for the national Church, even in the more remote possessions of the Crown; and if a difference of circumstances in Upper Canada has prevented such sentiments from taking extensive root there, every religious man, be his mode of faith and his views of Church discipline what they may, must feel that the interests of Religion and its concomitant morals cannot prosper amidst heart-burnings and jealousies.

"If therefore it be fitting to call upon the Church to forego the exclusive advantages which the present Charter of King's College confers upon it, it is no less incumbent on all other classes of Christians to receive the boon tendered to them, in that conciliatory spirit by which alone His Majesty's subjects can be united by those common ties of mutual attachment which constitute the strength and mature the prosperity of Nations."

"I shall await with much solicitude your report of the result of the communication which I have now made to you. I am well aware of the jealousies, not to say animosities, which have been engendered in the Province by the agitators of this question; and it is scarcely to be expected that these feelings can all at once subside with the cause that gave them birth, - nor can I conceal from myself that there may be prejudices and habits of thinking, which may not easily be reconciled to the adoption of the new system; but it cannot be the interest of any class of Christians to be an object of jealousy, perhaps of dislike, to those, who differing upon certain points of doctrine and discipline, find themselves debarred by the effect of that difference, from an

equal share of advantages universally desired, because universally beneficial."

The honourable gentleman went on to remark, that he could not tell why that despatch had not been communicated to Parliament; he was very glad that he was not responsible for its non-production, but he had seen a reference to its contents which led him to conclude that it had been communicated to the college authorities. However that might be, the despatch showed what the intention of the Home Government, in the first place, had been; it showed that the effect of the charter had been to make the establishment an exclusive one, in consequence of which it had failed in its object; and that, when the attention of members of Government had been drawn to the fact, they expressed their belief that it would be just and politic to remove the cause of heart-burnings and jealousy created by the character of the University; and farther, that Legislative aid should be invoked for that purpose rather than they should not be removed at all. From that time the subject had frequently engaged the attention of the Colonial Legislature and he saw by a despatch of the date of the 17th June, 1835, that the question had been recently more than once discussed in Upper Canada. In addition to the authorities he had already cited - besides the judgments which had been pronounced by the Parliament of Upper Canada, by the Executive Council and the Home Government, he would now add the express opinion of his Majesty's representatives in the Province; because more than one message had gone down, at the opening of the Legislature, in one and another of which would be found the views of the Governor, expressed always in accordance with the principles contained in the despatch which he had read; while, so far as he knew, there was no one occasion upon which a contrary opinion had ever been given; which indeed would have been contrary not only to the views put forward in the despatch he had read, but also to the recommendation of the Canada committee, to the advice of the Executive Council, to the wishes of the people of Upper Canada, and to the will of their representatives. These were facts to be carefully considered, for he had exhibited a mass of testimonies, from these public documents, furnished by parties who had no control whatever over each other, because it could not be contended that it was any influence of the Government at home, which produced the expression of the opinions of the Colonial Legislature, nor that the declarations of the House of Assembly had such overpowering force in Downing street, that everything said there was echoed back again. He might then consider that he adduced the evidence of several bodies, all independent of each other, and yet all pointing at one common end. Such was the state of affairs when the despatch was written which he would now read; its date was 17th January, 1835, the one first read bearing date November, 1831: -

"Sir, - I have received your despatch, dated the 6th May last, No. 14, enclosing a copy of a Bill for amending the Charter of King's College, Upper Canada, which was passed by the House of Assembly, and rejected by the Legislative Council in their last session. You express your persuasion that no law for the amendment of the College Charter will be enacted by



the Provincial Legislature; but state that 'you entertain no doubt that the existing Charter may be so modified by the interposition of His Majesty's Government, as to have in essential points, no just ground for dissatisfaction on the part of either House.' You state that you have informed the Legislative Council and House of Assembly, that you would strongly recommend to His Majesty's Government to sanction the opening of King's College, and express your hope that the course which you have suggested may be adopted."

The honorable gentleman desired to call the particular attention of the House to this part of the despatch, because he had not yet clearly proved that the Executive in Upper Canada had adopted the principle of throwing open the University to all classes, and taking away all clauses of a peculiar and restrictive character from the charter; but here the House would observe that the Governor pledged himself to recommend that this course should be taken. He then continued the despatch, -

"As I find it impossible to act upon the recommendation which you have thus tendered to His Majesty's Ministers I think I shall best discharge my duty by announcing to you that decision without delay or hesitation.

"I am not aware what may be the grounds on which you anticipate the acquiescence of the House of Assembly in such an amended charter as you have proposed; on the other hand, the reasons for apprehending their strenuous resistance are obvious, and to me, at least, appear conclusive.

"First. Your plan departs, in every one essential particular, from that which the House of Assembly, in their last Session, sanctioned by their votes. It is not likely that they would be satisfied to have their judgment overruled by the direct interposition on (sic) the Royal Authority.

"Secondly. The Earl of Ripon referred the matter to the discretion of the Provincial Legislature. They could scarcely be otherwise than displeased with the retraction of his Lordship's offer.

"Thirdly. The decision of such a question by his Majesty's advisers in this kingdom would be condemned with plausibility and not indeed without justice, as a needless interference in the internal affairs of the Province.

"Finally. The supposed amendments even if they had not been preceded by any controversy or debate on the subject, would hardly fail to give umbrage to the House of Assembly. Without, of course, claiming a very intimate acquaintance with the state of public opinion in U. Canada, but chiefly adverting to the accounts which have reached me though (sic) the public journals of the proceedings of the Assembly in their last session, (and except from those journals, I am without the means of forming such a judgment,) I should think it impossible that the scheme which you have proposed would ever be carried into execution. It is contrary to the whole tenor of the recent resolution of the Representatives of the people to suppose that they would acquiesce in giving to the Church of England permanently so many as five members in the government body of the College of which according to your plan, the entire number would be seven;



especially when the Lieut. Governor of the province is to occupy one of the two remaining seats and Archdeacon Strachan is for the present at least to fill the seventh. The magnitude of this trust is enhanced by the consideration that it is proposed to place under the control of the Church the management of all the revenue and expenditure of the College and the establishment of all rules for granting degrees in Divinity, while to his Majesty is confided the making of all such rules as are to regulate the education of the pupils. I cannot hesitate to express my opinion that this plan claims for the Established Church of England privileges which those who best understand and most deeply prize her real interests would not think it prudent to assert for her in any British Province on the North American continent.

"It is with the most lively regret that I have heard of the dissensions on this subject between the Legislative Council and the House of Assembly. I would respectfully and earnestly impress upon the Members of both those bodies, the expediency of endeavouring, by mutual concession, to meet on some common ground. Especially would I beg the Legislative Councillors to remember, that if there be any one subject on which, more than others, it is vain and dangerous to oppose the deliberate wishes of the great mass of the people, the system of national instruction to be pursued in the moral and religious education of youth, is emphatically that subject. It remains for me only to acquaint you, that his Majesty refers back again to the Legislative Council and Assembly, the consideration of the subject of amending the Charter of King's College. If there should prevail between those bodies an irreconcilable difference of opinion, and if they should concur in addressing His Majesty to assume the decision of the controversy, His Majesty will be most happy to interpose as a Mediator for the adjustment of the question, upon such principles as appear to Him best adapted for promoting the general interests of all classes of His subjects in the Province, and in a manner the most consonant with the general views and feelings of the inhabitants at large. Except in compliance with such a joint application, His Majesty will not think it expedient to resume (sic) the decision of a question which by His Majesty's commands Lord Ripon referred to the judgment of the Provincial Legislature."

The hon. gentleman proceeded to remark, that he had read that despatch in confirmation of a point he had endeavoured to establish, viz. that from the period of the charter being first brought forward down to the year, 1837, when the act was passed to which he should soon have occasion to allude more particularly - he said, down to the passing of that law, the principle acted upon had not been to adhere to the charter, merely because it had been granted; but to take measures to procure a surrender of the charter, because the intention of the Crown to grant it in a form and manner satisfactory and beneficial to the people of all classes had not been carried into effect. That such was the object, when Sir F. B. Head came out to this country was proved by a circumstance which hon. gentlemen would no doubt recollect. They would no doubt recollect that

when he read his instructions, one of the first articles contained an express reiteration of the same sentiment, which he was to press upon the Legislature of Upper Canada, in order that they might amend the Royal Charter and make it more agreeable to the wishes of the people. In 1837, accordingly the Legislature undertook the subject, and (as he had before remarked) he was not aware that up to that time any declaration had been made by any body whatever, Executive or Legislative, which enunciated an opinion other than that the charter was not satisfactory to the people of Upper Canada. He now appealed again to the experience of hon. members - and he called upon them to correct him if he were wrong, because it was part of the argument which he was then advancing for the consideration of the House whether a growing dissatisfaction did not exist and whether the authorities did not grant this point - that they had no disposition to maintain the charter contrary to the wishes of the community. From all these circumstances, he again drew the conclusion, that this question was one upon which the Home Government desired to have the opinions of the people of this Province expressed, with a view to a determination of this question by granting a new charter in accordance with those opinions. In another despatch would be found the following language: - "That upon an expression of the will of the people through their representatives, after a surrender of the charter, the Crown would grant another one, in accordance with those wishes so expressed through the representatives of the people." When that new charter was passed it did away with the exclusive character which belonged to the original one; and here he desired to call the attention of hon. members to one of two points, in order to shew the nature of the change which was then effected, and thus to enable them the better to institute an enquiry into the grounds upon which change was now required. In the first charter it was provided, that the Visitor must be a member of the Church of England; that rule was done away with, and in lieu of it the Chief Justice of the King's Bench was appointed - instead of a Bishop, the Visitor was to be a Judge. That, as far as it went, was a declaration that the Visitor of the college should not be necessarily connected with the Church of England. The question, however, which he was now endeavouring to discuss, was neither more nor less that (sic) this, - did the Legislature, at that time, express its opinion that it was advisable to do away with that part of the charter which made the Visitor necessarily a dignitary of the Church of England, or did they not? If any doubt existed as to the meaning of their declaration in that case, the next step which they took, as to the President (sic) was still more emphatic, and unequivocal; for while on the one hand they would not consent to deprive the individual in possession of the position, which he occupied, they declared, that for the future it should not be necessary for the President to be the incumbent of any ecclesiastical office whatever. The charter said that the Archdeacon of York should be the President - the amended charter declared that the president need not hold any ecclesiastical office. The declaration on that point was therefore unequivocal. The amended charter also did away

with the test which was before necessary to be taken by professors - the subscription to the articles of the English Church, and it substituted no other test, than a simple declaration of belief in the authenticity of the Old and New Testaments, and in the doctrine of the Trinity. He thought that was a test which could be signed by people of many other churches, besides the Church of England; and therefore, as these were doctrines upon which members of all Christian Churches were agreed, it certainly could not be said, that when this test was substituted, it was not intended to do away with another portion of the exclusive character of the charter; and that alteration coupled with the fact that it was no longer necessary for the President to hold an ecclesiastical office sustained this position, - that as to the Presidentship and Professorships, all the exclusive character of the Institution has been done away with. The amended charter also provided, that the Council should be composed of a different class from that sanctioned by the previous charter. It did away with the subscription to the articles, and provided for the introduction of a new class of persons; without discussing the wisdom of this alteration - for he was not now examining whether this amendment was a wise one, but in what spirit, it was conceived, with what object it was adopted and to what point the minds of most of those men who carried it were directed - without discussing, whether these alterations were wise or unwise, he would ask, what were the declarations of the amended charter on this point? It declared, that the Speaker of the House of Assembly should be a member of the College Council. Who was he? Sir said the hon. member, the chair, which has since been so worthily (sic) occupied was, then filled by a member of the Church of Scotland, - Mr. Justice M'Lean. Next it provided, said the Hon. Member, that the Speaker of the Upper House should be a Member of the Council; and that appointment was made, without the slightest reference as to who might or might not, be Speaker of the Legislative Council. And next, that the Attorney General, and Solicitor General, should be in the Council likewise; but there was no law, that he (Mr. Draper,) knew of, which required that either of those Officers should belong to any particular Church; every body knew that no such law existed, so that he contended, when persons of that description were placed in the council merely on account of the offices they held, and when they were placed there without being required to take any other test than the one he had already referred to; when that was the case, he said, it afforded pretty good proof that the intention of the measure was to take away yet another part of the exclusive character which the charter in its original form had possessed. As he proceeded farther, he came to a question which he would be obliged to advert to more particularly hereafter, because upon it, he intended to found a part of his argument; but here he would say that without reference to individuals, and without the smallest desire to hurt the feelings of any persons whatever, his public duty rendered it necessary for him to quote the authority of those now engaged in the management of this institution in support of his position. The point to which he alluded was



this, - in the anxiety of the Legislature, to do away with everything of an exclusive character, they went so far as to declare that degrees in divinity might be taken without any test being required. He admitted that there was a great inconsistency involved in that declaration, which would be avoided by his bill; but without discussing whether that rule was wise or unwise, he quoted it for the purpose of asserting his second position; viz.: - That the will of the people expressed through their representatives was in favour of this college being thrown open to all classes of Her Majesty's subjects, without any distinction on the score of religion except that to which he had formerly alluded. He had, then, clearly established, that the University was founded with a Church of England charter, and that His Majesty's Government finding the dissatisfaction that was created thereby, referred that charter to the Legislature of the Province, in order to obtain an expression of the will of the people with regard to it through their representatives. He had shown the earnest desire of Government to receive that expression of opinion and to act upon it, after the charter should be surrendered, by conferring a new one, which should contain more expansive provisions, and such as the people of the country were desirous of obtaining, he had shown moreover that the question was submitted to the Legislature, and that, then, the representatives of the people passed a measure which, however faulty in its details, was in effect a declaration of the principle that the college should be thrown open for the benefit of all. Having reached that point in his argument, he must now refer back, to what it would be recollected he had already alluded to in a former part of the discussion. He had stated broadly, a fact which could not be contradicted, that the expression of the wishes of the people through the representatives on this question, had been all one way - he repeated that the expression of their wishes had been all one way. It might be said - and he would anticipate the argument now, because it was always better to be prepared beforehand, and because the statement to which he alluded could be met in a few words by a fact which must destroy all power of appeal whatever - it might be said by gentlemen on the opposite side of the House - and he wished to call attention to the objection, because gentlemen from the Eastern part of the Province probably had not so intimate a knowledge of views of the people of Upper Canada on this subject, as his friends around him, or even as himself, who was at that time too wise to be engaged in public affairs, was obliged to have - it might be said, by his opponents, that these declarations proceeded from that party, - with whom, indeed, he had no great sympathy, who were generally opponents of the Government; and that, therefore, these expressions instead of indicating the feelings of the public, only showed what were the wishes of a party. Without alluding to the fact farther than to admit that such was the case, he would refer to the celebrated resolution which was carried on this subject; he was not sure that that resolution was not passed in what was commonly called the Saddlebags Parliament, but the argument to be deduced was this, that the idea of these declarations being only the expressions of a political party was confuted by the fact, that the same resolution also



passed through the Parliament of Sir F. B. Head in which the party which were in ((the)) majority in the Saddlebags Parliament, was certainly in a minority. He was warranted, therefore, in saying that this was not a political question, because the Radical Parliament, the Reform Parliament, the Saddlebags Parliament, the Tory Parliament, and the Conservative Parliament, in which the supporters of Sir F. B. Head had a majority, and also that Parliament in which the majority was composed of those with whom he usually acted, all concurred in the propriety of a measure passed on the principles contained in the despatches he had read to the House, viz.: - that the original charter of King's College was not satisfactory to the people of the Province, because it was exclusive in its character, and that it should be thrown open more widely by the regulations established by the amended charter of 1837. Whether his arguments were well founded or not, he believed that few would contradict his facts. Whether his conclusions were sound, or whether they were unsound, few would question the grounds upon which he based them. But if they were sound, then he said that the principle was formally established, that for the purpose of making the University of King's College an establishment for the general education of all classes, and with the object of doing away with the dissatisfaction so unequivocally expressed; the Crown had been willing to give up a great principle of the prerogative, and to invite legislation, by Parliament on a subject on which legislation, according to ordinary rules, ought to come direct from the Sovereign. He had proved moreover, that the representatives of the people of the Province had concurred in the recommendation of the Crown, and had adopted the principle, that an institution for the purposes of education, based on exclusive principles, was not fitted for the state of Upper Canada. And he had shown that the endowment of Crown Lands which that institution had obtained, according to the opinion of the King by whom the Charter had been given, was not designed for the advantage of one class, but granted for the benefit of all. Having arrived at this stage of his observations he felt that he had established the fact, that both the Sovereign and his advisers, and the Parliament of Upper Canada had concurred in the principle which he had laid down. He would now advance a step farther, and would show that it was adopted also by those who were at that time the governing body of King's College. With regard to the principle that the College should not remain an exclusive establishment of the Church of England, he said that those who at that time formed its governing body, and who belonged to that church, had continued to govern and administer its affairs from that day to this, some of them in the same positions which they had held before the Bill was passed, and at the time of its being carried; in this they at least gave some proof that they acquiesced in that principle. He did not wish to pass that point, with a view of making any remark which could in the slightest degree wound the feelings of those gentlemen; for whatever course his political duty obliged him to take, he sincerely venerated and respected many of them; and it was not the least painful part of the duty he was called upon to discharge while he had the honour of holding office under the Crown, that

he could not avoid incidental reference to topics of this description. But he felt that without touching on that part of his case, he should not be doing full justice to a subject of such magnitude as the one before the House. He should - he always did - he trusted that he always should abstain from thrusting before the House any proposition which he did not feel to belong to a fair discussion of the subject. He trusted that he could appeal to both sides of the House as witnesses, that he was not one of those who wantonly assailed or outraged the private feelings of any man or any body of men; if he were compelled to touch incidentally upon such a question, he would do it with affection, and as one who desired, far from inflicting pain, to soothe the wounded feelings which might be excited by the course which he took - he should touch upon it not as one who desired to make the discussion of this question a torch of discord, but as one who sincerely wished to extinguish that torch. He introduced this part of the question because he could not keep back anything connected with the subject, and he was therefore, obliged to repeat, that whatever might be the private feelings of the individuals connected with the University, the Bill of 1837 did make the changes to which he had alluded - it did take away from the Church of England the right of having the Visitor, President, Professors, and Members of the Council of that University chosen exclusively from her communion, and of keeping to herself the sole direction of the religious education and observances of the students. He said that this Bill passed at Toronto within the very sight and hearing of gentlemen who were connected with the council of the University of that day, and yet the measure was not even opposed, much less, was there any application made for the corporation to be heard by counsel at the bar? That bill (said the Hon. gentleman) was not passed in the dark - the principle was not asserted secretly; on the contrary, the measure was referred to a select committee, and was discussed day after day, and week after week in a building not so large as this; while on the opposite side, and at a distance not so large as that which separates us from another branch of the Legislature, sat ... the Legislative Council of that day, and in that Council sat some of those in whose hands were placed the guardianship, the management and the protection of this institution which I am now accused of being desirous of - he knew not how to term it, because he only wished to assert the principle already carried out. Within close hearing, however, of the discussion of that Bill, said the Hon. Member, - and he did not speak over metaphorically, but literally; for the Speaker's Chamber, in the House of Parliament in Upper Canada, was placed just behind the chair, in such a position that whatever took place could be heard there, and in that chamber sat some of the guardians of the institutions; within hearing of the discussion on this Bill were some of those who if that measure were an improper one, ought to have been the first to hold out their hands and to protest against it. If it were not their duty to do so; then he asked if - placed in the situation in which he found himself, with no alternative between meeting the difficulty, and retiring at once from the Councils of the Province - if he were to be now accsed (sic) of taking a course inconsistent with the duty he owed to his

Church? He would say to those who brought such accusations, why did not you raise your voices at that time when every thing of an exclusive character was taken out of the Charter? And he would ask that question, because he believed, at that time no opinion opposed to the measure was entertained by any one. He believed, that there was a sincere feeling - a firm and honest conviction of the minds of the guardians of the University, that what they were doing was the most likely means of protecting and preserving, not of injuring the Institution. They believed they were doing an act not worthy of being called what they called his, but one which they might safely and justly accede to. For himself, he would say no more than this: whatever their motives were - and he gave them credit for being actuated by the most exalted and purest - by whatever motives the persons situated like those he alluded to were actuated, that the course which they took was the one which he had described. If they took it from high and holy motives in the firm conviction that they were doing right, it was well, and all that he desired to draw from it was this, - that they were assenting parties to a change involving the whole principle of expansion and liberality. - There was one point in which the present bill was rather a contraction of the principle then laid down. He had just now stated to the House that he should shortly have to allude again to one part of the amended charter which he admitted contained something very like inconsistency. - He meant that which referred to degrees in divinity. He must say that he would have been glad if that suggestion, and that determination could receive a discussion at the hands of those who were familiar with the working of the University system at home, especially with that branch of it which relates to degrees in divinity - he said familiar with the working of the system, because those who had only been to such an institution for a few months, or a few years or who had perhaps gone no farther than to take the degree of B. A. - knew very little of what was necessary, and least of all were those who had never been at an University qualified to say what were the rules observed in granting divinity degrees unless their attention had been particularly called to the subject. When degrees in divinity were given, they were to be considered as certificates of the opinion of those who conferred them, as to ... the opinions of the parties who received them; and it did appear to him that they ought not to be given to the man who professes no opinion at all. A man had to be examined in the classics, and the other different branches of arts; and having been so examined, it is certified that he has obtained a certain degree of proficiency in those studies - it was the same with medicine and with law. - In law, indeed, he believed that degrees had been conferred on eminent soldiers, and on other high and distinguished characters, but in such cases they were merely honorary - he alluded only to those which were conferred in the regular course - other degrees were conveyed by dispensation or by other modes which as he was not acquainted with them, he would not expose his ignorance by describing, but he spoke of those only which were granted in the usual College course. When the Charter was amended in that way, he looked upon the question of interference as one merely of time; because he took it for granted - if



no other change were to be made or to be desired even - if all parties were agreed as to the general principles of the amended charter being satisfactory, there would still exist a clear opinion in the minds of those acquainted with the working of the system, that some amendment in the mode of granting divinity degrees was absolutely necessary. There was another point to which he wished to call their attention; owing to several changes, some of which were connected with the University, and others over which the University had no control, the management had fallen entirely into the hands of those who at present conduct it. Now it never had been the intention of the Legislature to leave the management of the University to the Professors. The original charter did leave it to them certainly, but the amended charter had added other persons with no other interest in the Institution than what arose from the character of their offices, and their high standing in the Province. - The Legislature had introduced those persons in order to add to the College Council some lay members, because it had been considered unsatisfactory, that the Council should be composed entirely of professors. Now, what was the operation of the present law on this subject? By changes for which neither the framers of the law nor the Council of the College were answerable - because there was no probability that either body could have foreseen the political changes which the Union had brought about - but in consequence of those changes, it had become morally impossible for the duties confided to the two Speakers to be satisfactorily performed. How often, since the Union, had the Speaker of either the Lower or the Upper House taken his seat at the Council Board? - how often was it possible for the Law Officers of the Crown to take their seats there? His hon. friend who lately filled the office which he now held, knew well how little time he could give to those duties; his hon. friend on his left knew also the difficulty of attending to them, when he had been in office in 1841, and now; and for himself he had found it utterly impossible to devote that attention to the subject which would be necessary if he endeavoured to exercise an efficient control over its affairs. When it was impossible that he should do more than be a casual visitor at the Council, he did not like to render himself responsible for every act his colleagues might do, by only dropping in occasionally, at times when he was desirous of recording the vote upon some subject in which he felt particular interest. He had now pointed out two cases in which a remedy was essentially necessary, and he now came to the great and important constitutional principle which was involved in this question. The Crown had, as he had shown, invited the authorities of King's College to surrender their Charter. At that time the Charter having been given by the Crown, the body in question might have given back what it had received; but without any very deep reflection - speaking on general principles - he thought it would readily appear, that the state in which things then stood, had been entirely altered by the enactment of the law of 1837; and that the authorities of King's College could not<sup>51</sup> do that, which under present circumstances, would be the repealing ((of)) an Act of Parliament. That was to say, the



College could not now give back under its great seal the amended charter which had been conferred upon it by a legislative enactment, to which the assent of the House of Assembly, the Legislative Council, and Crown had been given. Under those circumstances, it would be found that, for the purpose of effecting any change, a reference to the Legislature was indispensably necessary. Having made that statement he would now go farther, and, without desiring to occupy the time of the House, or to force the point any farther than was necessary, he would proceed to show that if on the one hand the action of the Legislature had been adopted and conceded as it were, or perhaps he ought rather to say accepted; so on the other, even with reference to that very acceptance it became necessary to apply to the Legislature again in order to remedy the admitted evils. That would be the case if there were no other true questions at issue; but he would ask if it were that there ((were)) no other ... questions? And here he approached those grave considerations which had induced him to bring the subject under the notice of Parliament. If he thought there were hope that any plan could be made by human ingenuity and hands, or could even be devised by the intellect of an Archangel which would be free from objections, most thankfully would he receive it; but he knew very well that there must be objections to any plan which could be propounded, and no doubt his would be liable to them. Still it was no argument to say that because there were ... objections they should not be taken up, or because there was opposition, it should not be grappled with, or that the House should not do that, which it would desire if possible, to avoid being forced to do. He could cheerfully be convinced, if any such conviction could be brought home to his mind, that there was no need of any legislative enactment at all in respect to this University; and he would relinquish his measure at once, if any hon. member would rise and assure him that the present constitution of that establishment was generally considered satisfactory. He made that statement because he was convinced that the contrary was the fact - because the expression of the public opinion had been unequivocal. - Whether he should succeed or should fail, he would still feel that he was justified in his attempt to place this great question on a sound footing; because, when he took office, it became at once his duty to remedy, as far as was in his power, all existing evils. In viewing this case, he had not failed to consider that there was a question of prerogative involved in it - he alluded to the right of the Crown of commencing all Institutions intended to confer degrees. He had been influenced by that consideration very much in framing the measure - the second reading of which he was now moving - and he had prepared it in such a manner, that he believed nothing would be found in it which Her Majesty could not properly assent to; or which on the other hand, if she were so advised, might not be embodied in a new Charter. The passing of the Bill would be nothing more than a declaration of the opinions of the representatives of the people, as to the form in which they think an University could be successfully established, while it gave Her Majesty full scope to put into the shape of a charter, what

they wished to see carried out. The despatches which he had read, as well as others to the same purpose, confirmed him in the view which he had taken, viz: that there was a desire on the part of the Crown to give effect to the principles contained in the measure he was speaking of, and the Bill would give Her Majesty two courses, either of which was open to her. It was not for him to say whether Her Majesty's advisers would leave this law open as an enactment of the Legislature of the Province, or whether he would give to it the shape of a Royal Charter, - he had no power over that; but he desired first of all to advocate what he thought would produce a satisfactory result, and then to leave it to the superior power to say what shall be done in England. All he had to do was to advise what he judged would be satisfactory here, and he had therefore framed this bill so that it should involve nothing but a declaration of the principles on which he conceived an University might be established without those objections which applied to King's College, as it existed under the old charter or under the new. What then, were the principal assertions which had been made against the present system? It had been said, amongst other things, that by leaving too much of the direction of the affairs of the University, to the Convocation, too great a preponderance had been given to those who professed the doctrines of the Church of England. - It had been said also, that what was open to all, according to the letter of the law, had not been open to all, in fact; and the Charter did not give any peculiar rights or privileges, in the Institution, to any one portion of the community, yet it had been urged with great energy and perseverance, that in effect its advantages were confined to the benefit derived from it by some particular class or classes. He was placed in this dilemma in devising a remedy: if he followed out the spirit of the amended Charter, he would do away with a principle which ought always to obtain - he ment (sic) the connection of religion with science and literature. Yet, on the other hand by attempting to make the University a body by which religious feelings and opinions are to be sustained, he would place the religion of the students in the hands of those, who might for the time being compose a majority of the College Council. He should not do more now, than say that he had observed on so many occasions that hon. members had found it necessary to explain themselves on these topics to their constituents, and he had remarked such an earnest anticipation on the part of the people for the settlement of this question - that to him it appeared public opinion had pronounced as strongly as possible that some legislation was expected upon it. Hon. members might judge for themselves, but he believed he was right in adding this point to those he had previously urged. He should now therefore, proceed to examine the measure, in order to get rid of the difficulties he had adverted to. - It would take much more time than the House would indulge him with, were he to go clause by clause through the bill, but he would allude briefly to some of its leading features; one of them was, that while under its regulations, pupils of every denomination would

receive instruction in literature, arts and sciences under the same Professor - while without asking whether he belong to one Church or other a man will receive the necessary instruction from the different professors of mathematics, or classics, or moral philosophy, he would not in so doing be required, in any shape or way, to attend classes ... ((where)) opinions of a religious character were advanced; nor would he have to submit to, nor comply with any observances, other than those of the denomination to which he may belong. He had heard a great outcry (which he hoped was improperly applied to this bill,) about making an infidel University, without religion established to forward the objects of literature and science without taking proper care of higher and holier objects. He would be the last man to say a word in favour of an Institution of that kind. If he thought, that the one he sought to establish would be of that description, he would abandon the design directly; and with it all pretensions to be considered a man, who understood anything about these questions; but he laboured to achieve (sic) the point, - that he who thought conscientiously and honestly, differently from the manner in which he, (Mr. Draper,) thought on religion, should not be subjected to any difficulty, because he differed from him, nor lose any advantage which he (Mr. Draper) could not receive. His object was to secure two ends - freedom and security for religious instruction. On the one hand, freedom from any controul that would violate the conscience; on the other, security that the great interests of religion should not be neglected. To accomplish that, he had provided by this Bill, that with regard to literature and science, all the classes should go under the same teacher or teachers, but each morning, said the honourable gentleman if I may for a moment figure to myself the course of a day in order to suggest what I conceive would be the mode of carrying on the work of the Institution - each morning when the proper hour is arrived, the bell rings, and the Church of England student goes to Divine Worship, I presume it will not be offensive to believe that in every other College the same thing would take place, that each would be required to attend Divine Worship in his own College; Would there be any infringement of religious freedom, or of the liberty of conscience? To proceed, however - within half an hour another bell rings there is a lecture on classical literature - some Greek or Roman author is to be explained; and then, the Church of England man, from King's College, the Presbyterian from Queen's, and the Methodist, from Victoria, all go together, to attend the reading of that Greek or Roman writer. They receive their lecture; and next attend, perhaps, a class for mathematics - all of them can go; next chemistry - all are there; then experimental philosophy, and they all attend that. But, by-and-by comes a lecture on a subject which involves some principle of theology - and each goes to his separate college, and receives instruction on those points, consonant to the tenets he holds, and to the religious views he entertains. Then, when the studies of the day are over, each will repair to the altar where he worships - and at that altar, around which all who are assembled have one common faith



and belief, every one will bow down and worship without feeling his religious scruples offended, because in a building not a great way off, others who have studied with him during the day are blessing God sincerely, according to their particular religious views. I think this is not the day when a spirit of that sort will be encouraged, for the spirit of intolerance is banished from our ordinary life, and every man is taught that while he has the right to worship God in his own way in his own Church, another has an equal right to worship in his way, in another Church. If that is the case with regard to men engaged in the practices of active life, why should not the same principle prevail among those, who are just entering upon, or rather being fitted to enter upon life? The hon. gentleman went on to remark, that there could be no just grounds of opposition to this course; before if the Church of England had an University that would be no objection to any other body existing of the same kind. Would the argument be listened to for a moment, because Queen's College exists in Kingston and is carried on as an University on strictly Presbyterian principles, that the rights of Queen's College would be invaded if another Charter were granted to another Institution of a similar kind in Kingston? Or would it be held that King's College were attacked if another College were established in the City of Toronto? No one pretended to argue that that would be the case, but the argument was, that it would be impossible to give religious instruction, and yet confine the Professors upon subjects into which religion does not enter. He hoped, however, that no one would pretend that when a lesson was given on a classical author it would be possible to introduce a lecture on religious belief. He would, then, ask the House, whether it were so imperatively necessary to exclude religion from the University, that it must by no means find its way into the Colleges which were about to be established? - whether the difficulty of having religious instruction was so great, that it would be better to have no religious instruction at all, though given in separate Colleges. If that could not be maintained, then the question to be considered was, whether the fact, that there must be more than one mode of religious worship going on amongst the students of the University, (though each form were kept separate and apart,) would be a sufficient argument against this measure? For his own part, he must confess, that he had not yet seen any argument which went to that length. He would now address himself to one or two arguments which were put forward in some small pamphlets which had been sent to every member of the House; he did so with the view of drawing attention to the consideration of ... ((this)) grave and serious question, and in order to promote a full and fair discussion of its merits. - He would take up a very small pamphlet which contained some of those sentiments to which he desired to direct attention. The work was published under the sanction of the Church of England Society in upper Canada, and he supposed therefore that he was warranted in assuming that it contained the views of a considerable number of the members of that Church. It did not contain simply the objections to the proposed measure, but it also put forward two propositions for



other modes to be adopted, by way of settling the difficulty which existed. - He wished in the first place to notice the fact, that these proposals were predicated on the supposition, that legislative enactments were necessary, because it says that either of them would require only a simple enactment. - Therefore the propounder of these two plans, thought it necessary to come to the Legislature for assistance, and the objections applied only to the mode in which he, (Mr. Draper,) sought to give literary and scientific instruction to all classes, while he secured to each a different form of religious education. Upon this point the writer said "this article assumes that the different denominations of Christians of this Province have no religious belief." He, (Mr. Draper,) could not see how the author could have written that if he had understood the measure, nor how he could say, that it was presumed that people had no religious belief, when the bill provides, that each section of them, should have the means of worship according to its own peculiar faith. When the writer said that, he proved that he could not have understood the measure or he would never have penned so untenable a proposition. - The author went on to say, "we know from the highest authority that the united Church of England and Ireland cannot, and dare not, participate in this wicked scheme, and must be considered as entirely withdrawing from it. Her principle opposes any amalgamation with dissenters from her creed." Now he, Mr. Draper, must say that he did not know any principle in this new Bill which had not been, for a long time past, admitted and acted upon in the amended charter of King's College.<sup>52</sup>

Hear, hear, from MR. AYLWIN.<sup>53</sup>

((MR. DRAPER continued:)) He hoped the hon. gentleman would hear him, and would not prevent others from doing so also, for he was endeavouring to obtain for the subject before the House, a full and fair investigation.<sup>54</sup> Then there was the petition presented by his hon. friend the member for Toronto against the whole bill; he quoted from memory, and therefore could only give the substance; but he believed it was there said, "the Church of England claims the education of her children from the cradle to the grave, and she can never consent to belong to, or to take part in, any Institution for educational purposes of which the governing body shall be composed of persons not members of her own fold; and she considers that no power in the world can have the the right to educate or to controul the religious observances of her sons. She would hold the establishment of any institution in which she cannot partake, to be a measure of insult and injury, which it would be her bounden duty to resist. Under such circumstances the measure proposed to be adopted is one which she can never be a party to, and which must result in the practical exclusion of her members from the University of King's College. Any proposal for amalgamation with other religious bodies will be received with alarm and sorrow, by every one of her members from the highest ecclesiastical authority down to the humblest layman - if it be calculated to place her

children under a governing body of a different denomination." Now, he must appeal to a few facts, for the purpose of ascertaining how far that petition did express the opinions of the members of the University. If he understood the Petition at all, it must be merely this - that there exists among the members of Church of England an insuperable objection, founded on conscientious principles, which could never be overcome, to the placing of their children in an educational Institution, of which the governing body was not composed exclusively of members of the Anglican communion. Now he had looked over the return which he had had the honour to lay on the table of the House a few days ago, which had been sent down at the request of an hon. member opposite, on the subject of the affairs of King's College, and he found among the rest a return of the number of students of different denominations who attended there. He found, in the first place, that the great majority of them were members of the Church of England, but with them were also to be found Roman Catholics, Congregationalists, Presbyterians, Methodists, and he thought Lutherans. He found that with regard to religious worship the course which was pursued was, prayers were read daily in the chapel of the College at which members of the Church of England were expected to attend, but, inasmuch as it would be a clear violation of the charter to enforce attendance upon religious worship at King's College according to the faith of the Church of England, dispensations were granted to all those who entertained contrary opinions to those sanctioned by that Church. The only difference, then, between the plan laid down by his measure and the present practice would be this: at present the college provided for the religious instruction of the members of the Church of England while they left others without any religious means, while by his measure he proposed to give to all denominations the advantage, now enjoyed by that church, of worshipping according to their own forms in a chapel attached to the College. He now came to another part of the subject, and he would ask hon. members to call to mind the petition which he had just read; he asked them to recollect the way in which this bill had been assailed, and how it had been asserted that as a matter of conscience the Church of England objects to be under the control of a caput composed of members other than those who belong to the Church of England. He had already established the fact, that of the students now at King's College. He would ask, then, whether there were in an Institution of which the governing council, which was in fact the caput, consisted of members of the Church of England only? Not only was that not the case, but that body composed as it was, of persons not all members of that Church, had under the existing rules, the power of regulating the performance of Divine Worship in the College. He said that that very body, of which the members need not be members of the Church of England at all, had the sole power of passing statutes, rules, regulations, and ordinances, for the conducting of Divine Service in the College.<sup>55</sup> Was that sort of argument to which he had alluded, one which would be borne if it were urged in that House. Could any man get up then and make use of such a statement without censure, when, at the very moment he did it, it could be shown that, in fact, the

contrary practice was not only in full operation, but had been so for a long time past? He wished to draw attention to the fact, that the amended charter had been acted upon for some time.<sup>56</sup> Who became members of the Council at the time when the bill of 1837 passed? The Speaker of the House of Assembly, Judge McLean, a member of the Church of Scotland. - And he (Mr. Draper) knew no reason why the same thing should not occur again, because he could not believe that any difference of religious opinion could form the ground for a preference in the choice of a Speaker. Who was the person who then became a member of the College Council, as Speaker of the Assembly after the Union? Who was now a member of the Council of the College, as President of the Upper House? Mr. Caron; a gentleman with whose religious views the House was well acquainted. Who was the member of the Council of the College whose duties kept him on the spot, and required his almost daily attendance during the time of the Session? He referred to a relation of his hon. friend from Toronto, who was no member of the Church of England. He was now speaking exclusively of the governing body, and it was there that he saw the contradiction to the assertion he was now discussing. For who would say, with the amended Charter before him, that it was inconsistent either with its letter or its spirit, to have one member in the governing body who did not belong to the Church of England? Or, who would say that he (Mr. Draper) ought to be bound by this expression of opinion, that no conscientious member of the Church of England could send his son to an Institution, when that was the case? If the objections applied to the bill which he had submitted to the House - if they had sufficient force to justify gentlemen in preventing this bill from passing, then those who urged them must certainly admit that they were mistaken when they continued in the same error from the date of the amended charter down to the present day. But, was the measure he was advancing open to those objections to the same extent as that amended charter under which he had shown they now existed? Were the principles contained in the bill which he was now opening to the House, hit so hard by those objections, as the present constitution of King's College was hit by them? He did not suppose it to be meant that it was impossible for members of the Church of England to submit to rules wholly unconnected with religious observances, merely because they were made by persons not belonging to their own Church; for every day's experience, when the age of man was arrived at, and when childish things were put away - every day's experience showed the contrary.<sup>57</sup> Then if education were not simply the learning of words, not the mere acquisition of formulas of science, but if it involved also the establishment of fixed principles of action; surely it would be a very false principle to bring home to the mind of every student some rule which in active life he would be constantly compelled to violate. If the principle now brought forward were not kept apart from any but religious considerations, it would be impossible to submit to resolutions of any kind, in matters where there was no faith at all. He understood the principle and he respected it; and what was more, he was prepared



to maintain it, instead<sup>58</sup> of leaving the pupils of King's College to a Caput, composed of persons of different denominations, he would place them not in their present position, in a College in which members of other Churches could vote in the Council on the subject of Divine Worship, but in a college which would contain none but the professors of their own faith, while the Council of the University would have the power to make all regulations in matters where faith was not concerned. What was the religion of parsing a Latin noun or of conjugating a Greek verb?<sup>59</sup> - Or in mathematics, - though here he would yield to men who were better acquainted with the subject than himself, - in mathematics, as far as he was aware, from the first proposition of Euclid, to his most difficult problem, there was not one single religious principle involved. If then, he protected all religious principles, while he left the Council of the University alone in matters connected with scientific attainments, he asked, apart from the consideration of the existing charter of King's College, whether the measure which he proposed was open to the attack contained in the pamphlet which he had just referred to, or to the remarks of the petition presented by his hon. friend from Toronto? - Was it fair to call this measure the advancement of a new imposition containing offensive particulars? Was it just to say that it would be robbing parties of their rights when in fact the very thing objected to existed in an Institution, the charter of which as amended, and as involving this principle had been accepted, and acted under by the complaining parties? But it had been observed, - and he said it because he did not wish to stand there as a man who wished merely to carry his measure, or who desired simply to get through his bill, but as a man anxious to discuss all questions connected with it fairly and fully - it had been observed, however, since that petition was sent down, that the very thing complained of did already exist, and the petitioners therefore found themselves involved in an inconsistency which it appeared some parties connected with the University had sought to escape from by means of the pamphlets he had adverted to. He believed that one of those pamphlets was written by a party to whom he had alluded when he stated in the early part of his address that he had the authority of a very high functionary of the University for the course which he proposed to take, and it would be perceived that the author had discovered that the objection((s)) could not prevail because, if they were insisted on, on the part of the authorities of King's College, those gentlemen would involve themselves in a contradiction which arose from the existing state of the College. He had no right to name the writer because he did not certainly know who he was, but he was too well acquainted with the style to be at loss to attribute its production to one whose eloquence and whose classical mind alone could have produced it. The writer he believed to be intimately connected with the Government of King's College, and he had himself pointed out the necessity for the existing defects being corrected by the Legislature. He had therefore obtained through these various channels the authority of the Parliament of Upper Canada, the authority of the Crown, and the authority of the University, - as well of its members as individuals, as of those who represent it on the part of the church of England. - He had, he said, the



combined authority of every one of those bodies in favor of the proposition that some legislation was necessary on the subject; and he had moreover the fact, that legislation had already taken place for the purpose of effecting a change in the character of the Institution.<sup>60</sup> - He would now enquire whether there were not other objections independent of those which existed, to the details of which he had spoken, and in doing so he would allude to details only so far as they were connected with principles, for he felt that he had already taken up too much of the time of the House. He would then briefly advert to some other methods which had been proposed, to amend the Charter which now governed King's College. He would not advert to the bill which was brought before Parliament in the year 1843; every one was familiar with it, and it would be time enough to discuss its principles if it were proposed to move it in amending (sic) to his measure. But there were certain proposals thrown out, which the House might adopt or not, as it should think them more advisable or better than those now submitted to it. Nothing could be more simple than to leave King's College with the Charter which was granted by the Crown, and which had giving (sic) rise to all the objections made to it in Upper Canada, to the despatches sent from Home, and finally to the measure which was now sought to be repealed and thus to carry out the proposition to make King's college again an University exclusively Church of England in its character. On that proposal he would make only one remark; it was the very fact that King's college was exclusive which gave rise to all the difficulties which it had laboured under down to the present moment, and unless another proposition were practicable also he could never accede to a plan which would only place the matter where it was at the commencement of all these difficulties.<sup>61</sup> Putting aside some considerations which he would presently advert to, he asked whether it could be considered as a settlement which would be final or a settlement at all, if the Institution were only brought back to where it was at first? He believed the knowledge of the history of the Charter - a recurrence to what it had been and what it now was - would prevent any discussion from taking place. But the parties who came forward to advocate this course, were sensible that the proposition would be - by itself - perfectly untenable, and that it would be impossible to call that a settlement, which would be only restoring the difficulties which had already been for years contended with.<sup>62</sup> It was, therefore, proposed, that King's College being restored to its original position, a liberal endowment should be granted to such other Colleges as the Government might think it right to encourage. For his own part, he was at a loss to know where those endowments were, or how they were to proceed, neither was he at present convinced, nor had he heard any argument which he thought was likely to convince him, that the state of Upper Canada was such as to require larger endowments for the purposes of Education, than the Crown had already conferred when it founded this University. And, he did not believe, from the value of the property granted, that the extent of the income which would be yielded, would be sufficient - not simply for the University of

King's college , but for several similar Institutions of all classes of religionists. How could he then accede to a proposition which divesting those funds from the purposes of all, would confine them to the use of one? Or how could he seek to obtain a further grant, which would be unnecessary, unless made necessary, by the proposition that the church of England alone is entitled to that which all authorities say was intended for the whole Province. He was not prepared to take upon himself the responsibility of an appropriation of lands for such a purpose. Whether there were members on either side of the House who were prepared to do so, he knew not, but if he took that course upon himself, he must be prepared to justify it; and he could do so, by saying, that the lands granted in the charter were insufficient for the purpose for which the crown intended them. While he felt that they were sufficient for the purposes intended to be attained, he could not advise that a further endowment should be made. If that proposition, then, could not be acceded to - and he had given his reasons why he could not consent to carry it out, when he conceived that enough public property had already been applied to such objects - he would now turn to another method, which, though more complicated, was not so much so but that its principle might be stated in a few words. It was to divide the endowment of the college on the same principle as the clergy Reserves had been divided. On the first view, that plan appeared to be a reasonable and a fair one - on the first view, he said, that appeared to be a fair, reasonable and simple proposition; but in order to see whether it could be acceded to or not, it would be necessary to enquire into its effects. The first thing to be asked was, - what is the income of the University? - He perceived by the returns laid before the House last week, the income set down for 1845, was £12,000; but unless the accounts were drawn out to mislead - he did not mean with an intention to mislead - but unless the accounts were wrongly drawn out: he thought it was a false idea to set that sum down as the actual income of the Institution; because he found that the amount includes monies due to King's College at the present moment as Capital for lands sold, as distinguished from the interest due upon it; and because in the calculation of the sum which was set down for 1845, is an amount of £3000 which as he understood was the capital for lands sold. But to spend the proceeds of sales of lands, was to spend not the income, but the capital itself. If he understood the account, the monies due for land sold at that moment were set down; and calculating, he presumed on the collection of the past year, it was estimated at the sum of £3,900 for 1845. To that was added the interest due upon sales, the rents from land, the interest on debentures and bank stock, all of which were truly income; and the fees to be received from students, which was also income. But he could not understand how the matter could be treated properly if the purchase money of lands were set down as part of the income of the Institution. He was quite convinced that by going on upon that principle there would soon be neither income nor capital left. He saw his Hon. friend from Lincoln smiling; but though he (Mr. Draper) did not pretend to be ((the)) equal of that gentleman as a financier, he was sure that

he would be confirmed by him in the view that he had taken. From that sum of £12,000, then, was to be deducted £3,900, which included the amount due for sales of land, as well as the grant of £3,000 sterling from that House; because he conceived that with relation to that grant, it might become a question whether the House would continue it to an Institution possessed of such large means of its own - at least he thought it was not an item of income which ought to be calculated upon. He believed that it was admitted by all, that one of the greatest points of usefulness which belonged to the college was its Medical school, by means of which students were saved from the necessity of going out of the country, or of spending their time under - he would not say inefficient teachers, but under teachers who possessed very inefficient means of instruction. For the benefit of the youth of the Province the medical school was of the very highest importance. And he believed that to alter the constitution of the University so as to peril the existence of the Medical college, or so as to render uncertain its connection with the University, would be a most injurious step for the interests of the public; and would take away the opportunity of instruction from those who intended to follow the medical profession in Upper Canada; and, in some measure, from those in Lower Canada also, since the youth of that part of the Province could, if they pleased, go there, as students as well as to foreign countries.<sup>63</sup> He had no doubt they would rather go there than leave the Province, if it afforded the same means of information and improvement in science and skill. Though the medical school might be considered at present in its infancy, although the number of its pupils was confined principally to those who resided in or near Toronto, and although the establishment was not yet put upon the footing which it should possess to make it as useful as it ought to be, yet, even now, the expenses for fees to Professors alone exceeded £1,300, in addition to which, there were other matters some of which his honorable friend for Huron would understand better than himself, and to which, as he was not familiar with their details, he would not allude. He would mention only those he could touch upon with safety. Besides the Professors at the lectures, there were the Demonstrator, the Curator of the Museum, and the expenses of the Museum itself, there were expenses for chemical agents; and steps had at last been taken to give an opportunity to the students of having the same advantages as at an hospital - he meant besides lectures; those lectures involved a necessary expenditure, distinct from that of the hospital; he did not know what they amounted to, because the returns sent down did not contain the information; but this he knew, that two years ago, the estimated expenses of the hospital, to commence with, was £500; whether the expenses now were more or less, he could not say, but he knew a proposition had been made by the Council of King's College for the expenditure of £500 for the hospital department alone; and when he took into account the many other expenses for medicine, servants, messengers, and every thing else of that sort; and when he remembered the practical investigations, which were very expensive, he thought that he could not estimate the whole expenses



at much less than a sum something exceeding £2,000 per annum. He thought he was within bounds in naming that sum. If that amount were deducted from the income of the University, in addition to the various amounts which he had already alluded to, it would leave £2,000 for what might fairly be considered as the income; and that was the sum which, according to the proposition he was now discussing, was to be divided, and was to become sufficient not merely to give a divinity education to those who now had Universities, but to provide an University education for all classes and parties in the country. From first to last, every thing was to be found for £2,000 per annum, and that not for one, but for three Universities. Would any one tell him that such a sum would be sufficient for the purpose? On the contrary it was plain, that there would not be one good University among them. The Medical School would have to be sold or abandoned, because it must be quite clear that no one University would be sufficient to maintain the Medical School. There would be three Professors required where there was now only one; and the expenses would be all increased three times with an income much reduced from what it was at present. He asked whether he was wrong, then, in advocating this measure, and in throwing the additional expense only, upon those branches, which were directly of a religious character. The Hon. gentleman then made some remarks which we did not catch very distinctly, on the subject of the diminution of the income which he feared would result from the system, of considering the capital of the Institution as income, and relative to means which he had adopted in his bill for remedying it. He continued, - He must say that that furnished an additional reason why Legislation was necessary; because if it were found by the returns that the College was living on its capital, it became a duty, which the Legislature was called upon to discharge to protect that fund from being wasted, for if the income were calculated from the capital due, the resources of the University would be diminished just in proportion as the wants of the Province became more and more urgent. He had thus endeavoured to show the reasons why he advocated the bill which he had advanced, in preference to either of the two propositions of which he had spoken; or rather, why he had been unable to adopt them. The House could carry out either of those two plans, if it thought them better than the one he had submitted. He had stated his reasons for not thinking them of a practicable character; and however well meant they might be, or however suited to the views of those, who thought with the parties from whom they emanated; yet, considering them to be of such a nature as he could not recommend for the benefit of the whole community of Upper Canada, he was compelled to adhere to this measure, the second reading of which he was now moving, as against the principles of those two propositions.<sup>64</sup> He would only touch upon one other question. He desired that the question might be decided by a direct vote of the House on what he might term the principle of the measure.<sup>65</sup> He begged the House to refuse to get rid of it by a side wind. He entreated Hon. Members not to seek to defeat it by any method which would not involve a



direct expression of the opinion of the representatives of the people against the principle of the measure, for he thought if ever there was a question on which Hon. Members were bound to come forward and freely approve or disapprove of it, this was the one. He did trust, therefore, that those Hon. gentleman whose minds were made up to oppose the Bill would meet it by a vote which would unequivocally express their sentiments. He thought it due to the House and the country, that it should either be carried, or rejected unequivocally without a side wind.<sup>66</sup> Now he wished to state with reference to postponing the subject, that to put the question off without determining the principle; and to allow the matter to go abroad as a subject for popular discussion, - to give time for increased vexation to arise, and for one class of the community to array itself against another, did not appear to him the course which those should adopt who desired to restore the peace of the country. It would be no difficult matter to create a great excitement, and to possess parties with hostile feelings, which it would take much longer to allay than to arouse. It would be easy to create a storm of political and religious violence, but gentlemen should remember that it might some day become the duty of those who raised it, to attempt to appease it; and if they should then prove unequal to the task, they would find that they had inflicted on the country an injury, which would be too great to allow of their shrouding themselves under the excuse, that they committed an error of judgment. Hon. Members had already had occasion to know the consequences of procrastinating measures of this sort in the case of the Clergy Reserves (sic), let them not, then, unnecessarily (sic) risk a similar excitement and clamour. For what purpose had he introduced this measure? For the purpose of testing the question whether the University of King's College should be carried on in conformity with the views of the Crown, the Legislature, the Executive, and the authorities of the University themselves; for these parties had all said that it ought to be an Institution to which, without the exclusion of any, all denominations might have recourse. That was the main principle of the measure, though he hoped the House would not lose sight of that religious instruction which was as essential as any other part of education; and that while they provided the means of improvement in the knowledge of the arts and sciences, they would not neglect the cultivation of that knowledge which was of far greater moment. The instructions from the Home Government, which had been laid on the table contained the commands of the Sovereign to the Gov. General, to do his utmost to make permanent provision for a Professorship of Divinity. The contents of that dispatch might have been known to others, but it certainly had not been known to him. He had not been a member of the Government when that measure was passed and he believed Parliament had not had its attention directed to that command of the Sovereign; certainly it must have been overlooked, because no provision was made of that permanent and distinctive character which the dispatch pointed out. In the present Bill however that principle had not been lost sight of; and yet the people of the Province had been told, that in altering the Charter of King's college an attack

was made upon the rights of the church of England. If this Bill should pass it would give a security for the endowment of a Professorship of Divinity which was not now possessed. Having now explained the bill, - he trusted without occupying more of the time of the House than the nature of ((the)) case required, - he would content himself without making any further remark with moving that the Bill be now read a second time. He would merely observe that he expected there would be an application on the part of the authorities of the college to be heard at the bar of the House<sup>67</sup>, and it might be considered that they had a right to be heard against a measure which affected directly the interest vested in them. Looking at the application in that point of view, if he could believe that it would not have the effect of throwing the measure over for the present Session; and if he were convinced that the majority of the House were in favor of it, perhaps he would not resist the wishes of his friends, or even the desire of those who were usually opposed to him.<sup>68</sup> But he must oppose a motion which was made under circumstances which drove him to the conclusion that nothing but delay was sought for.<sup>69</sup> So far as he was concerned, - and as far as those were concerned who acted with him, he could say, that if they had not felt that the duty of settling this question was paramount; if they had not felt that the longer it was delayed the greater the evils which arose from it would become - and in saying this he only gave utterance to a sentiment which every one must concur in - he said, if they had not felt these sentiments, it would have been a great relief to them to have been spared the pain of entering upon the subject.<sup>70</sup> Be the consequences what they may continued the Hon. gentleman, I can say with truth that I have been actuated by no other motive than a sense of duty and if the action of the representatives of the people convince me that I am wrong, I shall cheerfully take the consequence.<sup>71</sup>

MR. BOULTON wished to move as an amendment, that the further consideration of the subject should be postponed till Friday the 21st, in order to hear Counsel on the merits of the Bill<sup>72</sup>.

MR. GOWAN appealed this.<sup>73</sup>

The Speaker ((SIR ALLAN MACNAB)) said, that the motion was out of order. The question for the hearing of Counsel had been already put out negatived, and by the rules of the House it could not be repeated.<sup>74</sup>

(349)

University of  
King's College.

*Mr. Boulton moved, in amendment, seconded by Mr. Sherwood, of Brockville, that the word "now," in the said motion be struck out, and the words, "this day week," substituted.*

MR. ATTORNEY GENERAL DRAPER wished to know if no opposition were offered to this motion, if the hon. gentleman would pledge himself to require no further delay.<sup>75</sup>

MR. BOULTON said, in rising to make this motion, he did so with considerable embarrassment, because it was a duty imposed upon him by King's College<sup>76</sup>, whose interests would be seriously affected by this bill<sup>77</sup> to endeavour to procure the hearing of Counsel. In taking the course he had done, hon. members had accused him of a wish to throw over the University Bill by a side wind, with an intention to put off its consideration until next Session, in order that public excitement might be produced, and such petitions laid upon the table of that House as should prevent it from proceeding in this matter, but he declared that such was not his wish. He was opposed to the Bill in every respect, he was opposed to the principle evolved in it, and he was opposed to the detail. He considered it as a measure which could not be defended by<sup>78</sup> the Church of England, or<sup>79</sup> any church, nor by any respectable religious body. - (Cheers, and cries of "Oh!"). He would oppose it in all its stages, to the best of his ability. He was not one to blame the Administration for introducing it, for he was aware that there was a popular clamour in favour of throwing open King's College to all religious denominations. He was the last to wish to close its doors against any; on the contrary, he wished to see them opened to all, that persons of every denomination might enter the University, and take degrees in the arts and sciences. But he opposed the present measure, because it comprised the destruction of King's College, because it sought to destroy the Charter given by the Sovereign, and which was supposed to be held directly from the Crown, as unalterably and unalienably as any other Royal Patent. He contended that the measure of the Attorney General went to the destruction of King's College for the benefit of Queen's and the Victoria. There was not a man in the United Province more anxious than himself for the speedy and final settlement of a question which had been too long a bone of contention, but he held that this measure could not affect this object, he was convinced that it would but perpetuate discord, increase excitement, and defeat in every manner the objects it pretended to have in view. The present measure would give rise to discussions and engender evils which never could arise under the present condition of the College. He was aware that there was an impression abroad that the benefits of the University were now confined to the Church of England, and this impression was industriously circulated by those who wished to overthrow it, but he declared that its character was at this very moment more absolutely liberal than that proposed to be introduced, in every respect but one, that of conferring degrees in divinity, which were now confined to members of the Church of England. The proposed measure went to the establishment of a number of Colleges each of a separate faith, the whole to form one University professing no Religion; and each of these Colleges was to possess the power of conferring degrees in the Religion to which it belonged. When a degree of divinity is to be conferred it must be by a special



convocation of the Caput - (No! no!) - of the Caput of the College, and that degree will be a degree conferred by the University. The church of England objected to have anything to do with such a medley; believing its doctrines to be true, it cannot recognize the interference or association of dissenters in conferring degrees in anything connected with it. The Bill provides that the Head of each College shall form the Caput of the University, and that this Caput of the University, shall confer degrees in everything but divinity. The Heads of all sects, no matter of what character, are to be associated together and to confer degrees jointly; now the Church of England cannot recognize such an interference, and it will not have anything to do with this Bill. If any denomination by fulfilling certain preliminaries has a right to come in and claim a Charter and a College in this University, Millerites and Davidites and the lowest of all sects under this measure, are so entitled, and their claim must be granted, if it is the intention to give to all, those equal rights which it pretends. If then such denominations as these are entitled to a College when they have Students enough, and if the head of those sects without regard to education, and being no matter how ignorant, for no provision is made for that, are to be entitled to be placed upon a par with every other denomination and Church in the Province, and to sit in convocation with the caput and assist in conferring Degrees - he would ask if the member of any Church having a regard for its character - he would ask of (sic) any individual of respectability would consent to be so associated? The idea was preposterous; they could not consent, but would refuse to submit to such a degradation. Upon comparing the preamble of the present Bill with that of the Charter he found that they were identical, with the substitution of "Education for all Christian Denominations," for "Religious instructions;" now, he did not think the Crown had given the right to all Denominations to ask for a Royal Charter. He did not think it necessary at the present time, to take up the time of the House in further discussing the merits of the measure, or by any attempt to put off the Bill until next Session; but he should fall into the suggestion made by the hon. Attorney General, and move that the Bill be read a second time this day week. In the mean time he hoped to hear from King's College. He had intended to have gone more fully into the subject, but he was labouring under severe indisposition, which prevented him from performing the duty imposed upon him in the manner which the importance of the question demanded, and in which his own feelings would have led him to have done under other circumstances.<sup>80</sup>

MR. INSPECTOR GENERAL ROBINSON said that he trusted the honble. gentleman would ask for longer time. The day he had fixed would not give sufficient time for the preparation of Counsel. It would be better for him to fix the day he had previously named, the 27th instant. He hoped the time would be extended until then, for a measure of this importance ought not to be hurried through at this late period of the Session.-81



Ironical cheers from the Opposition.<sup>82</sup>

MR. SMALL said, if those honorable gentlemen who voted for the amendment of the member for Leeds, had made up their minds at that time that the Corporation of King's College should not be heard at the Bar of that House and had so voted knowing that such would be the effect of that amendment, they would be quite justified in voting against this amendment too. But he understood that many members had voted for it under the supposition that it would be competent to the member for Toronto to bring up his motion for the hearing of Counsel again, and that then his motion would be allowed. - (Yes! yes!). But he had been himself satisfied that the amendment would prevent the hearing of Counsel at all, and it was therefore that he was found for the first time voting against those friends and colleagues with whom he usually acted. When the administration of which he had the honor to be a member had brought forward a measure for the same purpose as that now before the House, King's College had asked to be heard by Counsel, and that application was granted. He could not therefore deny the same privilege on this occasion; and he confessed it surprised him to see a denial given to so reasonable a request. The question was not now whether or not the College should be heard, for that had been decided against them, but the question was shall the second reading be postponed?<sup>83</sup> ((OR)) The question at present was - should they be heard or not - (cries of no, no) He said it was. They could not be heard at the second reading; and that was, therefore, the effect of the amendment.<sup>84</sup>

MR. HALL said, that he had opposed the hearing of the Counsel in the first place, and he had voted with the intention of preventing it. All the Counsel in Christendom would not make him change the opinion which he had formed upon this question. He looked upon the present motion to postpone as a mere pretext to put off consideration of the question, and he hoped that ministers would not allow it, for it might lead to great inconvenience and perhaps to serious results. He repeated that he had voted for the amendment proposed by the member for Leeds to prevent the question of the hearing of Counsel being again brought up; and he did not now see that the House would be one morsel wiser upon this question this day week than it was now. For his own part he was prepared to go on at once, and would vote against any postponement no matter what the object.<sup>85</sup>

DR. DUNLOP said, as for the question for hearing Counsel it might be very simply settled, if any member after the lengthy discussion upon this question could not make up his mind upon its merits, let him hear Counsel by all means; but he could not see what Counsel could tell him that he had not heard already. He must say that the House and Country ought to be greatly oblige((d)) to ministers for the steps they had taken to settle this vexed question. It had been brought fairly and clearly before them by the hon. Attorney General, and if the House did not think so, the country would. As one of the Representatives of the people he humbly thanked the ministry. He believed that the settlement of this question like that of the Clergy Reserves would be a final one, and ultimately

quiet all parties if it might not satisfy all. To go on arguing it would be to continue for ever just as far from an end as they were before they began. There was a story of one Isaac Cassimar who built a Hall for Theological discussion, which was used for that purpose 300 years without the settlement of one disputed point; and so it would be with this, if nothing more than arguments were used for its adjustment. The intention of the proposed measure was to give University education to all religious denominations, and nothing could be more desirable, he wished to see that state of things when the son of the peasant could have education put as near his grasp as the son of the peer; and at the same time that he wished to see this, he did not wish to see the people obliged to obtain it by forfeiting the greatest point of all, their religious creed, founded upon their belief in the Holy Scriptures. He would not consent that any denomination should have the power to control the religious belief of any other sect in any way. They were told that the Church of England was the great Church of the Province, it might be so, but statistical accounts did not bear out the assertion. But allowing for argument's sake that it was the greatest of all, yet as a Presbyterian he thought he had a right to be educated too; and the Church of England should not cram the 39 articles down his throat because he was one of a less numerous sect. Let every man enjoy his own Religion, and he did not care whether the sect was composed of few or many; all he wanted was to be freely and fairly represented in the Education of the country. He looked upon the motion for postponement as nothing more than a shift to get rid of the measure, hoping that something might turn up before next Session to defeat it. In the name of the sect to which he belonged, he humbly thanked the ministry for extending the blessings of education to others than those who professed the doctrines of the Church of England. As to religion being necessary for a College, he admitted that it was as necessary for it as for any other body of men. But he had been himself educated in a College where a liberal view was taken of religion, where there was no distinction of sect known, but persons of all denominations were allowed to come in. There was, however, one proviso - all were compelled to attend the College Chapel, unless they produced certificates from clergymen of the various sects to which they belonged that they were regular attendants at the Church or Chapel of the sect whose doctrines they professed. That was what he conceived every College had a right to do, to prevent young men from running about town, without some religious control. Let every man's religion be a matter between himself and his God, in other respects. He repeated that he looked upon a postponement of this question as tantamount to its rejection; he could not go back to Huron and tell his constituents that he had supported such a proposition. He hoped it would be brought on and gone through with that night, and that it would not be put over until next Session to produce excitement throughout the country for twelve months. He trusted that before that House rose it would determine upon something and that that something would be for the satisfaction of the country.<sup>86</sup>

MR. ((GEORGE)) SHERWOOD of Brockville, said, that in seconding the

motion for the postponement now before the House, he had no intention to throw over the measure until next Session. He altogether disclaimed such a desire. He would ask hon. gentlemen, who were to blame that this measure was not brought before the House at an earlier period of the Session? Whose fault was it he asked that the measure had been delayed so long as to cause any fears that this postponement for a week would have the effect of putting it over to the next Session?<sup>87</sup>

Cheers from the opposition.<sup>88</sup>

((MR. GEORGE SHERWOOD resumed:)) Was it not the fault of the administration - were not they alone to blame?<sup>89</sup>

Cheers from the opposition.<sup>90</sup>

((MR. GEORGE SHERWOOD resumed:)) If this measure had been introduced at an earlier period there would not have been any opposition to this motion; there could not have been a single argument brought against it. He could not help contrasting the conduct of the last Administration upon this question with that of the present.<sup>91</sup>

Cheers from the opposition.<sup>92</sup>

((MR. GEORGE SHERWOOD resumed:)) They had brought in their measure at the beginning of the Session, and when the Corporation of King's College prayed to be heard by Counsel at the Bar of the House, the prayer was at once granted. But now the measure was deferred until the last moment, and when hon. members sought to obtain a hearing for the counsel of the College, they were accused of attempting to throw out the Bill by a side wind. Would it not be equally justifiable if they were to turn round and retort upon the Administration, that this measure had been delayed for the purpose of forcing it through the House? (Cheers.) Would not the country hear them out in this assertion, if it were made? He readily admitted that he would rather see this measure postponed until next Session, than that it should be forced through at this late period. As to the agitation and excitement which it was said would be produced by delaying this Bill, he would ask hon. gentlemen if this agitation and excitement would not take place as much, aye more after its passage than before? Was it possible for any determination of that House to stifle discussion, or to gag the expression of opinion among the people? He considered that King's College had a right to be heard, and if that justice were not accorded to her, it would not be treating her with that fairness and consideration which would be given to a private individual. He would ask if a Bill were brought forward to tax Brewers and Distillers, whether they would not be allowed to appeal against it, and whether it would not be delayed in order that they might have an opportunity of so doing? Would Ministers deny this; would they say that such a delay had not really been accorded? And if this delay were now refused in this case, the appearance to the country



would be that Ministers were afraid to discuss this question - that they did not dare to wait for the expression of public opinion, or to meet the arguments of those most deeply interested - and that they wished to force it through the House. (Cheers) He would therefore vote for the postponement. He wished to hear Counsel upon this measure. His mind was not made up; he desired to hear the arguments which could be brought against the Bill; and if Counsel showed good cause why it should not go through this Session, he would vote against the second Reading, but if he did not, he would vote for it. He believed that when the motion of the member for Leeds was put, that it would have no other effect than to postpone the motion for hearing Counsel, until that for the Second Reading was made. He could not think otherwise, for he gave hon. members the credit of having no desire to gag the expression of opinion, or to prevent Counsel being heard at all.<sup>93</sup>

MR. MEYERS said, that he would vote for the postponement, as he would have done for the previous motion, if he in conjunction with many others had not thought that it would in effect throw out the Bill of the hon. Attorney General. He believed that Mr. Boulton's previous motion would have had many more supporters had it not been so represented. He had heard that Counsel was already on his road, and would be in Montreal in a short time; and he considered it a very ill advised action on the part of the friends of King's College in not making that known.<sup>94</sup>

MR. JOHNSTON opposed the motion. He had made up his mind upon the question, and did not want to hear any more about it<sup>95</sup>, ((from)) these great "Solons from Toronto"<sup>96</sup>. He should also vote against the Bill, he considered it a most pernicious measure, only calculated to make divisions among the friends of the Administration, while hon. gentlemen opposite were delighted at the prospect it opened to them.<sup>97</sup> When a division took place, it would be found they would be ready to take advantage of it.<sup>98</sup> He hoped this motion would not be pressed as he looked upon it as tantamount to a vote of want of confidence.<sup>99</sup>

MR. WILLIAMS said, the Member for Brockville had anticipated him in the remarks that he had been about to make. He should vote for the postponement. He hoped that the Administration would mete out the same justice to King's College as had been done by the last ministry, and allow Counsel to be heard in vindication of what they conceived to be their undoubted rights.<sup>100</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said, that when Mr. Boulton's previous petition was brought forward, in connection with Mr. Murney's proposed motion for a month's delay, he had felt bound to oppose it as tending to throw over the measure of his colleague until the next session. The member for Brockville was altogether mistaken when he said that the vote given upon Mr. Gowan's amendment was with the understanding that the question for hearing Counsel would come up again. Ministers had no



such intention in voting. They had requested Mr. Boulton to postpone his motion and put it as an amendment to the second reading, after his hon. and learned friend had made the explanation of the views of the Administration upon the University Bill, which he had now done; their request was refused. The member for Toronto thought proper to persist in his motion, and the only course left to the Administration to pursue was the one it had taken; and the hon. gentleman had himself alone to thank for it. With regard to the postponement now asked, as had been said by the member for London, ministers had no objection to it, if Mr. Boulton would state positively that he would ask for no further delay beyond the time fixed in his motion. If he only sought the opportunity that Counsel should be heard at that time, Ministers did not object to grant it. Honorable gentlemen talked of being taken by surprise by this measure; how came it, he would like to know, that the member for Toronto had time to prepare the petition of the College, to obtain the opinion of those connected with it, and yet that there had been no time for the preparation of Counsel. King's College was not taken by surprise, it must have been fully aware from the speech from the Throne that a measure of this kind would be introduced; and if it had been postponed until this late period of the session, why might it not be reasonably supposed that it was delayed for the very purpose of allowing an opportunity for the expression of opinion. The principle of this measure had been known for three or four weeks, and it was the fault of the College if it was not prepared. When an indefinite delay had been asked for, he had looked upon it as an attempt not to procure the hearing of Counsel, but to throw over the measure, and he opposed it. But he now repeated if the hon. gentlemen would rest contented with the time mentioned in his motion, he would offer it no opposition.<sup>101</sup>

MR. ((GEORGE)) SHERWOOD of Brockville said, Mr. Boulton had gone home, from severe indisposition; but he had heard him say in reply to the same question from Mr. Attorney General Draper, that he would ask no further delay, beyond that time.<sup>102</sup>

MR. BALDWIN said that with regard to the course which he intended to take in this measure, he should say nothing at present. He and his friends had frequently called upon ministers for their measures, and had complained that they were not brought forward at so early a period as would allow the House to give them that consideration which their importance required. Such being the case, they would now offer no impediment to their proceeding at once. When honorable gentlemen on the other side asked the Administration for delay, it was not for them to intrude their opinions, until they knew what were the wishes of Ministers upon that subject. As to the abstract principle of hearing Counsel at the Bar, in a measure of this kind, his opinion was the same as it was last session, when it had been fully shown by the course he and his colleagues had taken upon a similar application; and he had seen no reason to change that opinion. But when the application had been made that evening, he had waited to hear the opinion of Her Majesty's Ministers, whether they

considered it expedient to grant delay for that purpose, and had been ready to sustain them in any position they thought proper to take, and it was under those circumstances that he had voted against Mr. Boulton's motion, and not from any consideration of its being improper or out of place. He did consider that the Petitioners had an abstract right to be heard, but whether it would be proper to risk a delay for that purpose was another question. Upon the present motion he should vote with Ministers.<sup>103</sup> And he begged to call the attention of the gentleman (Mr. Johnston) who had accused them of a desire to embarrass the ministry, to the fact, that he (Mr. Johnston) was one of those who, on a previous division, had voted against the government, whilst they had voted with it.<sup>104</sup>

MR. GOWAN responded to the remarks which had fallen from the member for the Fourth Riding of York. With reference to what had been said by the member for Toronto, of having attributed unfair motives to honorable gentlemen supporting the previous motion for delay, he wished to say that he had attributed nothing to them which they had not openly avowed. The mover of that motion had declared his intention of opposing the Bill in all its stages, and his seconder that he had not made up his mind upon the question, and wished the Bill put over until the next Session. This was no more than he had attributed to them. It was said that the College had not had time to prepare itself to meet this measure; he was astonished at such an assertion. It had had time to take up the whole measure, to dissect it piece by piece, principle and detail, and to write and publish pamphlets against it, which had been sent down from Toronto, and the House inundated with them; and yet it had not had time to prepare its case for Counsel to appear at the Bar of that House. A week's delay was now asked for, and he would like to know to what purpose. He contended that if Counsel were to appear at the Bar to-morrow, he could not be heard, after the vote given by the House; then, if he were to come, and the rules of Parliament denied him a hearing, the House would be placed in a curious predicament. And if Counsel were not to appear at the end of the given time, they would be also in a predicament, and the House would be convicted of having stultified itself. One honorable gentleman had said that Counsel was upon his road; he would like to know if there was one member who could rise in his place and say upon his honor that he had any foundation for putting forth that assertion. And without it he contended that the House was following a "Will o' the Wisp." He considered that now it had gone so far, it would be best to go on, and decide upon this measure without further delay; but if the Administration was willing to grant the delay asked for, he should not oppose it, although he considered it unnecessary and tending to no good effect.<sup>105</sup>

((MR. RIDDELL made some observations.))<sup>106</sup>

MR. AYLWIN said, that he considered that King's College had a right

to be heard at the Bar, and he regretted to hear any hon. gentleman deny it. God forbid that that House should decide upon any measure affecting the pecuniary rights of the meanest subject of the Province, without giving to him the privilege to be heard against it; if it did so, it would degrade itself. The Bishop of Toronto had a right to be heard by counsel in behalf of his Church, and he Mr. Aylwin, was anxious that he should be allowed that privilege, and to make use of every argument possible against this measure, and if he found these arguments just, he would vote against the Bill; but in the absence of the gentleman who was charged with the opposition of this measure, the House was in a dilemma. He would like to know why counsel was not here at this time? This he would say whatever counsel came down his arguments would not have one twentieth part of the weight of those of the hon. gentleman who pleaded the cause of the College during the last Session. If Her Majesty's ministers said that the postponement asked for, met with their consent, he would support it, but in doing so he felt that he was doing an act of generosity which he could scarcely be called upon to perform. He did think that the conduct of the Administration in keeping members of that House waiting month after month for their measures was most unjustifiable. As he had observed upon this subject on a former occasion, the result of a continuation in such a course would be to compel honorable gentlemen not possessing large private means to abandon Parliamentary life altogether; for there were but few who could afford to make the sacrifice they were now called upon to do. He should be sorry indeed, to see the representation of the country thrown into the hands of those whose only recommendation to, or qualification for it was the possession of a few more pieces of gold in their pockets than others. But such a state of affairs must ensue, if Session after Session were prolonged in the manner this had been.<sup>107</sup>

(349)

*The question having been put on the motion of amendment, a division ensued, and it was carried in the affirmative.*

MR. HALL rose and said, that from the hasty manner in which the amendment was carried he had been prevented from recording his vote against it.<sup>108</sup>

The Speaker ((SIR ALLAN MACNAB)) said, it could be taken upon the question of the original motion as amended.<sup>109</sup>

MR. HALL then called for the Ayes and Nays<sup>110</sup>.

(349)

*The question being then put on the main motion, as amended, the House divided thereon, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Brooks, Cameron,



Cauchon, Chabot, Chalmers, Chauveau, Christie, Cummings, Daly, DeBleury, Desautier, DeWitt, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Jessup, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Methot, Meyers, Moffatt, Morin, Murney, Papineau, Powell, Petrie, Price, Prince, Riddell, Roblin, Rousseau, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Small, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Thompson, Watts, Webster, Williams, and Woods--(69.)

NAYS.

Hall--(1.)

So it was carried in the affirmative, and

Ordered, That the said Bill be read a second time, on this day week.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Light Houses, Return to an Address from the Legislative Assembly  
Upper Canada. to His Excellency, the Governor General, bearing date, the 26th ultimo, praying for "a Statement, in detail, exhibiting the respective disbursements, made under the Acts of the Parliament of Upper Canada, 3, William IV., chapter 34, and 6, William IV., chapter 39, for the maintenance and support of Light Houses in the said Province, for the years 1833, 1834, 1835, 1836, and 1837, showing the names of the respective parties receiving from the Inspector General, or other persons, any and all such disbursements;"--

By Command,

D. DALY, Secretary.

SECRETARY'S OFFICE,  
5th March, 1845.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 3rd March, 1845.

SIR,

I have the honour herewith to transmit a statement of disbursements from the Public Treasury of Upper Canada under certain Acts of the Legislature of that Province, for the support and maintenance of Light Houses, for the years 1833, 1834, 1835, 1836 and 1837; but I am unable to discern



in this Office, any Accounts or Records shewing the names of the respective parties receiving from the Inspector General such disbursements, as required by the Address from the Honourable the Legislative Assembly, of 26th ultimo.

I have, &c.

JOS. CARY,  
Deputy Inspector General

Honourable D. DALY,  
Provincial Secretary

(350)

Light Houses,  
Upper Canada

STATEMENT exhibiting the disbursements from Provincial Treasury under Acts of the Parliament of Upper Canada, 3 William IV, chapter 35, 6 William IV, chapter \_\_, 7 William IV, chapter 96, &c., for the maintenance and support of Light Houses in the said Province, for the years 1833, 1834, 1835, 1836 and 1837.

Authority	Date of Payment	To whom paid.	Amount Currency	
			£	£
3 Will. IV, c. 35	3rd May, 1833	Hon. G. H. Markland, I.G.	300	600
do	21st Aug. do	do	300	
do	1st Apr. 1834	do	--	1600
do	29th Apr. 1835	do	600	
5 Will. IV, c. 12.	19th Aug. do	do	1000	
3 Will. IV, c. 35.	5th Jan. 1836	do	600	
6 Will. IV, c. 43.	12th Oct. do	Hon. J. H. Dunn, R.G., to transfer so much to the Crown Fund advanced therefrom 6th June, 1836, to the Hon. G. H. Markland, I.G. for maintenance of Light Houses.	1000	1600
		Hon. G. H. Markland, I.G.		
3 Will. IV, c. 35.	18th Jan. 1837	Hon. G. H. Markland, I.G.	600	1600
7 Will. IV, c. 96.	7th Apr. do	do	1000	

Furnished pursuant to an Address from the Honourable the Legislative Assembly of 26th February, 1845.

JOS. CARY,  
Deputy Inspector General.

No Accounts shewing the application of these moneys are recorded in this Office.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 3rd March, 1845.

University of  
Upper Canada

The Order of the Day for the second reading of the Bill to vest the endowment granted by the Crown for University Education in Upper Canada, and for other purposes therein mentioned, being read,

Ordered, That the said Order of the Day be postponed until Tuesday next.

King's College

The Order of the Day for the second reading of the Bill to repeal a certain Act therein mentioned, and to alter and amend the Charter of the University of King's College, being read,

Ordered, That the said Order of the Day be postponed until Tuesday next.

Ordered, That the remaining Orders of the Day be postponed until tomorrow.

Then, on motion of the Honourable Mr. Aylwin, seconded by Mr. Chabot,

The House adjourned.

# FOOTNOTES - 11 MARCH 1845

1. These debates were reported by: LA MINERVE, 13 March 1845; the PILOT, 13 March 1845, copied by the EXAMINER, 19 March 1845; ST. CATHARINES JOURNAL, 20 March 1845; LE JOURNAL DE QUEBEC, 15 March 1845; CHATHAM GLEANER, 25 March 1845; BRITISH COLONIST, 21 March 1845; and in accounts in the MONTREAL GAZETTE, 13 March 1845, copied by the BRITISH WHIG, 18 March 1845; the KINGSTON CHRONICLE, 15 March 1845, and KINGSTON NEWS, 20 March 1845, which were identical except that the GAZETTE contained more speakers, often reported at greater length than those in the CHRONICLE. The CHRONICLE acknowledged the MONTREAL HERALD as the source from which it had "gleaned" its report.
2. MONTREAL GAZETTE, 13 March 1845.
3. PILOT, 13 March 1845.
4. MONTREAL GAZETTE, 13 March 1845.
5. IBID.
6. PILOT, 13 March 1845.
7. MONTREAL GAZETTE, 13 March 1845.
8. PILOT, 13 March 1845.
9. MONTREAL GAZETTE, 13 March 1845.
10. PILOT, 13 March 1845.
11. MONTREAL GAZETTE, 13 March 1845.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID. The PILOT, 13 March 1845, mistakenly identifies the mover of this amendment as Meyers.
25. MONTREAL GAZETTE, 13 March 1845.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.

38. IBID.
39. PILOT, 13 March 1845.
40. MONTREAL GAZETTE, 13 March 1845.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. The PILOT, 13 March 1845, and the CHATHAM CLEANER, 25 March 1845, both report that after the division on Gowan's amendment, the House adjourned for fifteen minutes.
50. The debate on this motion was one of the liveliest of the entire session, and it was considered by the contemporary press to be one of the most important. In anticipation of the debate, "the galleries were crowded with spectators, of whom a great part were ladies," the MONTREAL TRANSCRIPT, 13 March 1845, reported. It appears that other people also made various arrangements in preparation for the great debate. For instance, one of the members concerned, Wm. Henry Boulton, had made an exhausting journey up from Toronto in order to participate in it. The press also appears to have made arrangements to obtain reports of the debates, because accounts of the main speech by Mr. Draper, identical in all respects but length, are found in all the major newspapers: PILOT, 18 March 1845; MONTREAL GAZETTE, 15 March 1845, copied by the BRITISH WHIG, 21 March 1845; KINGSTON CHRONICLE, 19 March 1845; BRITISH COLONIST, 21 March 1845; EXAMINER, 26 March 1846; KINGSTON NEWS, 20 March 1845; and also in the less important CHATHAM CLEANER, 25 March and 1, 8 April 1845. The most complete account is that in the MONTREAL GAZETTE. In addition, there is other evidence to indicate advance preparation. There is also a comment in the PILOT, 13 March 1845, indicating that these preparations were taken in conjunction with Draper himself, who either handed a written copy of his speech to the press or else assisted the reporters in obtaining such an unusually full account of it. Says the PILOT: "Although we took copious notes we feel the impossibility of doing justice to the hon. gentleman especially in this number, and we shall at present give a mere outline, in the hope that a good report of this important speech will be published under his own sanction." Then in its issue of 18 March, the PILOT carried the same long report that most of the other important newspapers carried, probably with Draper's approval.

Other, much different and much less full accounts of the debate, including the members who spoke after Draper, are found in: LE CANADIEN, 14 and 17 March 1845; MONTREAL TRANSCRIPT, 13 March 1845; ST. CATHARINES JOURNAL, 20 March 1845; PILOT, 14 March 1845, copied by the EXAMINER, 19 March 1845; BRITISH WHIG, 14 March 1845, copying the MONTREAL COURIER, 12 March 1845; KINGSTON NEWS, 20 March 1845; and in the MONTREAL GAZETTE, 15 March 1845, which also contained Draper's speech. The French papers contained noticeably meager accounts because, as the MINERVE explained in its



issue of 13 March 1845 in which it only noted the debate, "Comme elle n'intéresse particulièrement que le Haut-Canada, il ne sera pas nécessaire de la traiter ici au long," and the JOURNAL DE QUEBEC, 20 March 1845, added "Pour nous, que cette question n'intéresse qu'en autant qu'elle regarde la justice et la sécurité de la possession," it was not necessary to give details of the debate, but merely a summary of the principles involved.

Because of the exceptional importance attached to this question, there were commentaries in every newspaper, especially those in Upper Canada. For example, commentaries are found in: KINGSTON CHRONICLE, 15 March 1845, citing MONTREAL HERALD; PILOT, 25 March 1845, citing PRINCE EDWARD SUN, the latter a liberal paper in Mr. Roblin's constituency; the MONTREAL GAZETTE, 13, 18 March 1845; the BRITISH COLONIST, 18 March 1845, citing MONTREAL TIMES, 12 March 1845, MONTREAL COURIER, 12 March 1845, and the MONTREAL HERALD, 13 March 1845; the BRITISH COLONIST, 21 March 1845; LA MINERVE, 13 March 1845; EXAMINER, 26 March 1845; LE JOURNAL DE QUEBEC, 20 March 1845, citing LES MELANGES RELIGIEUSES; and the PILOT, 15 March 1845, copied by BROCKVILLE RECORDER, 20 March 1845. While these commentaries deal with the entire debate and indeed the entire question of the university bill and its consequences, they nearly always also remark on the quality of Draper's speech which is reported almost or completely verbatim. It is impossible to quote from all the papers, but it may be said that they are almost unanimous in agreeing that his was the most remarkable speech of the session: "the speech of the session, eloquent, lucid and argumentative" according to the MONTREAL TIMES, 12 March 1845, "a speech which, by common consent, is regarded as the most remarkable one delivered within the walls of the House of Assembly this session," according to MONTREAL GAZETTE, 13 March 1845, "a most eloquent speech which occupied nearly three hours in the delivery," according to PILOT, 13 March 1845.

In the following reconstruction, Draper's speech has been reproduced from the PILOT, 18 March 1845, rather than the earlier dated MONTREAL GAZETTE, 15 March 1845, which is extremely difficult to read, with the exception of those few extracts missing in the PILOT which are then taken from the GAZETTE.

51. In the PILOT, 18 March 1845, the word "not" is missing though it is printed in the MONTREAL GAZETTE's account of the debate, and since the sense of the speech requires the negative, it has been added.
52. PILOT, 18 March 1845.
53. MONTREAL GAZETTE, 15 March 1845.
54. IBID.
55. PILOT, 18 March 1845.
56. MONTREAL GAZETTE, 15 March 1845.
57. PILOT, 18 March 1845.
58. MONTREAL GAZETTE, 15 March 1845.
59. PILOT, 18 March 1845.
60. MONTREAL GAZETTE, 15 March 1845.
61. PILOT, 18 March 1845.
62. MONTREAL GAZETTE, 15 March 1845.
63. PILOT, 18 March 1845.
64. MONTREAL GAZETTE, 15 March 1845.
65. PILOT, 18 March 1845.

66. MONTREAL GAZETTE, 15 March 1845.
67. PILOT, 18 March 1845.
68. MONTREAL GAZETTE, 15 March 1845.
69. PILOT, 18 March 1845.
70. MONTREAL GAZETTE, 15 March 1845.
71. PILOT, 18 March 1845.
72. MONTREAL TRANSCRIPT, 13 March 1845.
73. MONTREAL GAZETTE, 15 March 1845.
74. IBID.
75. IBID.
76. IBID.
77. MONTREAL TRANSCRIPT, 13 March 1845.
78. MONTREAL GAZETTE, 15 March 1845.
79. MONTREAL TRANSCRIPT, 13 March 1845.
80. MONTREAL GAZETTE, 15 March 1845. Immediately after giving this speech, Boulton left the House: "severe indisposition, brought on by the fatigues of his journey from Toronto, was the cause of his hasty departure," the MONTREAL COURIER, 12 March 1845, as cited by the BRITISH COLONIST, 18 March 1845, reported. Several other papers also noticed Boulton's obvious illness while delivering his speech. The MONTREAL HERALD, cited by the KINGSTON CHRONICLE, 15 March 1845, for instance, noted that his journey had been five days and five nights long; and the PILOT, 13 March 1845, also commented on it.
81. MONTREAL GAZETTE, 15 March 1845.
82. IBID.
83. IBID.
84. MONTREAL TRANSCRIPT, 13 March 1845.
85. MONTREAL GAZETTE, 15 March 1845.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. IBID.
96. MONTREAL TRANSCRIPT, 13 March 1845.
97. MONTREAL GAZETTE, 15 March 1845.
98. MONTREAL TRANSCRIPT, 13 March 1845.
99. MONTREAL GAZETTE, 15 March 1845.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. MONTREAL TRANSCRIPT, 13 March 1845.
105. MONTREAL GAZETTE, 15 March 1845.

- 106. IBID.
- 107. IBID.
- 108. IBID.
- 109. IBID.
- 110. IBID.

WEDNESDAY, 12 MARCH 1845.

(350)

Petitions  
brought up.

THE following Petitions were severally  
brought up and laid on the table:

By Mr. Riddell, the Petition of Smithson Waller and others,  
members of the United Church of England and Ireland, in the town-  
ships of Derekam and Norwich, in the district of Brock.

By Mr. Cameron, the Petition of Murdoch M'Donnell, and others,  
of the district of Bathurst.

By Mr. Greive, the Petition of P. B. Dumoulin, Esquire, of  
Three Rivers.

By Mr. Desaurier, the Petition of François Boucher, Esquire, and  
others, the President and Trustees of the Common of Maskinongé and  
others, interested therein, of the parish of St. Joseph de Maskinongé,  
in the county of St. Maurice.

By Mr. Bertrand, the Petition of Julien Hion, apprentice Pilot for  
the River St. Lawrence, residing in the parish of L'Isle Verte; and  
the Petition of D. Girard and others, Pilots for the River St. Lawrence.

Election, Third  
Riding, County  
of York.

Mr. Taché, from the Select Committee ap-  
pointed to try the merits of the Petition of  
Robert Harrison and others, electors of the Third  
Riding of York, complaining of the undue election  
of James Edward Small, Esquire, to represent the Third Riding of the  
county of York, reported to the House that the Committee met at nine  
o'clock this morning, but the Honourable Mr. Attorney General Smith, and  
Mr. Macdonell, of Dundas, not appearing, they continued sitting one hour,  
and then adjourned until nine o'clock A.M. to-morrow.

Ordered, That the Honourable Mr. Attorney General Smith, Member for  
Missisquoi, and George Macdonell, Esquire, Member for Dundas, do  
severally attend in their places in this House tomorrow.

Kingston  
Corporation.

An engrossed Bill to repeal a certain provision  
of the Act incorporating the town of Kingston, and  
to provide for the assessment and collection of the  
district Taxes in the said town, by a Collector and Assessor to be appoin-  
ted by the District Council, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to repeal a cer-  
tain provision of the Act incorporating the town of Kingston, and to  
provide for the assessment and collection of the district Taxes, in  
the said town, by an Assessor and Collector, to be appointed by the  
District Council."



Ordered, That Mr. Seymour do carry the said Bill to the Legislative Council, and desire their concurrence.

Profanation  
Lord's Day. An engrossed Bill to prevent the profanation of the Lord's Day, commonly called "Sunday", in Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Prince do carry the said Bill to the Legislative Council, and desire their concurrence.

Protection of  
Wild Fowl. An engrossed Bill to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year; and to prevent the trapping of Grouse and Quail in this Province, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Prince do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read. Pursuant to the Order of the Day, the following Petitions were read:--

Of Hugh Richardson and others, Ship-owners and Mariners, on Lake Ontario, praying for the improvement of the Harbour at Port Hope, and that it may be made a Public Work.

Of G. H. Grierson and others, of the districts of Colborne and New Castle, praying for aid to erect a Bridge over the river Otanabee.

(351)

Of the Right Reverend the Lord Bishop of Toronto and others, members of the United Church of England and Ireland, residing in the city of Toronto, praying that no measure affecting the charter of King's College, may be entertained at this late period of the Session.

Of A. C. Squire and others, of the township of Sutton, in the county of Missisquoi, praying that no assignment of the Clergy Reserve Lands may be made, but that they may be disposed of according to the provisions of the Imperial Statute, 3d and 4th Victoria, chapter 78.

Of W. Simpson and others, members of the United Church of England and Ireland, in Penetanguishine and the parts adjacent, praying for the repeal of the Common School Act, and the adoption of some system whereby religious instruction may be provided.

Of the Municipal Council of the district of Simcoe, praying for the removal of the Registry Office of the county of Simcoe to the town of Barrie.

Of the Municipal Council of the district of Simcoe, praying that they may be empowered to levy a Tax upon Lands belonging to persons, non-residents, in the said district, and to the Canada Company.

Of the Municipal Council of the district of Simcoe, praying that the aid asked for, to improve the Eastern branch of the Holland River, may not be granted, as the West branch is more favourable for navigation.

Of the Municipal Council of the district of Simcoe, praying that measures may be adopted to obtain a reduction in the present rates of postage.

Of the Municipal Council of the district of Simcoe, praying for the passing of an Act to remove certain difficulties respecting the sale of Lands for arrears of taxes.

Of the Municipal Council of the district of Simcoe, praying that a certain allowance be made to the members of the Municipal Councils, to defray their expenses while in discharge of their duties as district Councillors.

Of William Buell and others, the Committee of the Mercantile and General Agricultural Improvement Society of the district of Johnstown, praying for certain amendments to the Act of the late Province of Upper Canada, 7th William IV., chapter 23d, for the establishment and encouragement of Agricultural Societies.

Elementary  
Instruction,  
Lower Canada.

The Honourable Mr. Papineau, from the Select Committee, to which was referred the Bill to make better provision for Elementary Instruction in Lower Canada, reported to the House, that the Committee had gone through the Bill, and had made several amendments, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Friday next.

On motion of Mr. Christie, seconded by Mr. De Witt,

Number of the  
tribe of Indians  
called "Mountaineers".

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to cause enquiry to be made, and to lay before, at the ensuing Session, the result thereof, as to the numbers of the Tribe of Indians, known as the "Mountaineers" (Montagnais), frequenting, during the Summer months, Tadoussac and other ports, on the Saguenay, and places thence downwards, along the North shore of the River and Gulf of St. Lawrence, commonly called

the King's Posts, and other Seigniories actually in the occupation of the Honourable the Hudson's Bay Company; the resources on which they depend for subsistence; the means taken for their religious and moral instruction; whether they have decreased in numbers of late years? And if so, the amount of the decrease as nearly as it can be ascertained, for the last ten, or any other given number of years; the cause thereof, and especially whether it be owing to destitution, famine, disease, or the use of ardent spirits, or to the hardships incidental to the Indian hunter's life in those regions, ill-treatment or disregard of their wants by the whites domiciliated among them; upon whom they depend, and to whom they look for the supplies necessary to enable them to procure their subsistence? And, in particular, if they are, as other subjects of Her Majesty in Canada, free to avail themselves of their industry, and to trade upon the fruits thereof, with whomsoever of Her Majesty's subjects in this Province they please, or are restricted in their trade to the lessees of the said Posts? And if so, the legality of the restriction, and a specification of the Law under which it is enforced, and its influence on their moral and social condition; the general treatment they experience from the Whites monopolizing their industry and trade, and the probable results, beneficial or otherwise, to such Indians, if the restriction or monopoly were removed. And generally, all such information respecting the said Tribe of Mountaineers, or Montagnais Indians, as His Excellency, in his wisdom, shall deem proper to be procured; with a view to determine, if it be necessary, to take measures for their relief, or for their civilization, religious and moral instruction, or that may in any respect throw light on the history of the aforesaid Tribe of Indians, from the first settlement of Canada, to the present time, their character and habits.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Prince, seconded by Mr. Macdonell, of Stormont,

Roman Catholic  
Bishops of  
Toronto and  
Kingston.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration, and the said amendments were read, and are as followeth:

Press 3 Line 20--Leave out "except as hereinafter enacted."

Press 3 Line 31 --After "respectively", insert the following clauses marked A and B.



## CLAUSE A

"And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way, the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any Body politic or corporate, such only excepted as are hereinbefore mentioned and provided for."

(352)

## CLAUSE B

"And be it enacted, that this Act shall be deemed a public Act, and shall be judicially taken notice of as such, by all Judges, Justices of the Peace and other persons whatsoever, without being specially pleaded."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Prince do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Public Accounts. Ordered, That Mr. Cameron be added to the Special Committee, to which were referred the Public Accounts of 1843, laid before this House on Friday the 13th December, 1844, with an instruction and other references.

On motion of Mr. Powell, seconded by Mr. Roblin,

Common School Houses, Upper Canada. Resolved, That this House do now resolve itself into a Committee of the whole House, for the purpose of considering the expediency of empowering District Councils and other Municipal authorities in Upper Canada to provide for the erection, completion, repairing, and furnishing of Common School Houses in that part of this Province.

The House accordingly resolved itself into the said Committee.

Mr. Meyers took the chair of the Committee,<sup>1</sup>

The resolution was carried by<sup>2</sup> a majority of only one in committee the ministers voting in the minority.

(352)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Meyers reported that the Committee had come to a Resolution,



which he was directed to submit to the House, whenever it shall be pleased to receive the same.

*Mr. Speaker having put the question,*

*Shall the report be received?*

MR. GOWAN ... ((came)) out distinctly against taxation for education.<sup>3</sup>

(352)

*Mr. Gowan moved, seconded by Mr. Williams, that the report be received this day six months.*

MR. CAMERON, wished to know if the Government intended to bring in an amendment of the School bill if they did he would oppose this motion as the bill was found to be oppressive in the mode of taxation. He denied that the people were unwilling to be taxed for the education of their children if such taxation was imposed in a fair equitable manner in proportion to the number of children to be taught. It was a fact that School Houses had been erected under the act by contractors and it was afterwards found that there was no authority to pay these or the Contractor and Mechanics were unpaid and in difficulty an injustice which of course the Legislature could not sanction. He trusted however that the Government would amend the bill reduce the taxation and provide for such cases as he alluded to.<sup>4</sup>

MR. WILLIAMS was also against taxation for school purposes. He said that in his part of the country the council forced brick school houses to be built in order to tax their political opponents.

DR. DUNLOP doubted whether the council could have been influenced by such motives.<sup>6</sup>

(352)

*The question having put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Chalmers, Colville, Dickson, Ermatinger, Gowan, Jessup, Johnston, Laurin, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of DUNDAS, Meyers, Moffatt, Murney, Riddell, Sherwood of BROCKVILLE, Smith of FRONTENAC, Stewart of PRESCOTT, Williams, and Woods.--(20)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Brooks, Cameron, Cauchon, Chabot, Christie, Daly, Desaunier, DeWitt, Dunlop, Hale, Hall, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonell of STORMONT,

M'Connell, Merritt, Morin, Papineau, Powell, Petrie, Price, Prince, Robinson, Roblin, Rousseau, Scott, Seymour, Solicitor General Sherwood, Small, Attorney General Smith, Smith of WENTWORTH, Thompson, and Webster--  
(41)

*So it passed in the negative.*

Ordered, That the Report be received to-morrow.

Petition of  
J. M'Bean, of  
Lancaster.

Resolved, That a Message be sent to the Honourable  
the Legislative Council, requesting their Honours  
will permit the Honourable P. M'Gill, one of their  
Members, to attend the Select Committee to which

is referred the Petition of John M'Bean, of Lancaster, in the Eastern district, tomorrow at noon, to be examined on the subject of the said reference.

Ordered, That Mr. Macdonell, of Dundas, do carry the said Message to the  
Legislative Council.

Sheriffs' Fees  
Upper Canada.

The Order of the Day for the House in Committee  
on the Bill to regulate the fees of Sheriffs and  
other officers, in that part of this Province called

Upper Canada, being read,

*The House accordingly resolved itself into the said Committee.*

Mr. Hall took the chair of the Committee,<sup>7</sup>

Some time was spent in discussing whether six pence was a better remuneration than a shilling, for the Sheriff calling each Juror, both were rejected, and £6. 5s. was directed to be paid to the Sheriff for calling a jury.<sup>8</sup>

Twelve shillings and sixpence to be paid to the Sheriff each day he attended court.<sup>9</sup>

Some other amendments were made.<sup>10</sup>

MR. JOHNSTON oppos((ed)) every clause.<sup>11</sup>

(352)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hall reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Title to Lands,  
Lower Canada.

The Order of the Day for the second reading of the Bill to quiet the title to Lands of persons naturalized under the Statute of Lower Canada, of the 1st William IV. chapter 53, and for other purposes therein mentioned, being read,

MR. AYLWIN stated that it had been intimated to him by the member for Portneuf that there was an individual interested in this measure who was desirous of being heard by counsel at the Bar. Under these circumstances, he would consent to an adjournment until Monday next, in order to give an opportunity to counsel to be heard.<sup>12</sup>

(352)

Ordered, That the said Order of the Day be postponed until Monday next, and that it be then the first Order of the Day.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:—

MR. SPEAKER,

Insolvent  
Debtors, U.C.

The Legislative Council have passed the Bill, intituled, "An Act for the relief of Insolvent Debtors in Upper Canada, and for other purposes therein mentioned," with an amendment, to which they desire the concurrence of the Assembly.

Also,

LEGISLATIVE COUNCIL,  
Tuesday, 11th March, 1845.

Dog Tax.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council hath agreed to their amendments made to the amendment of this House to the Bill, intituled, "An Act to empower the District Councils of Municipal Districts and Boards of Police, of Incorporated towns in Upper Canada, to impose a Tax on dogs, within their respective districts and towns," without any amendment.

Attest,

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And also,

LEGISLATIVE COUNCIL,  
Wednesday, 12th March, 1845.

Leave to attend  
Select Committee.

Ordered, That one of the Masters in Chancery do go  
 down to the Legislative Assembly and acquaint  
 that House, that the Legislative Council do give  
 leave to the Honourable Peter M'Gill to attend the Select Committee to

(353)

which is referred the Petition of John M'Bean, of Lancaster, in the Eastern  
 district, to-morrow, at noon, to be examined on the subject of the said  
 reference, if he thinks fit.

Attest,

CHARLES DELERY,  
Clerk, Asst. Leg. Council.

And then he withdrew.

Testatum Writs.

The Order of the Day for the second reading of  
 the Bill to allow the issuing of Testatum Writs of  
Capias ad respondendum, in the several districts in Upper Canada, and for  
 other purposes therein mentioned, being read,

The said Bill was read accordingly.

Mr. Sherwood, of Brockville, moved, seconded by Mr. Macdonald, of  
Kingston, that the said Bill be now committed to a Committee of the whole  
 House.

Mr. Duggan moved, in amendment, seconded by Mr. Macdonald, of Cornwall,  
 that all the words after the word "Bill", in the said motion be struck out,  
 and the following substituted, "be referred to a Select Committee, composed  
 of Mr. Duggan, the Honourable Mr. Baldwin, Mr. Meyers, Mr. Sherwood, of  
Brockville, and Mr. Macdonald, of Cornwall, to report thereon with all con-  
 venient speed; with power to send for persons, papers, and records."

The question having been put upon the motion of amendment, a division  
 ensued, and it passed in the negative.

The question being then put on the main motion, it was agreed to by  
 the House, and

Ordered, That the said Bill be now committed to a Committee of the whole  
 House.



*Mr. Dickson took the chair of the Committee,*<sup>13</sup>

MR. ((GEORGE)) SHERWOOD of Brockville explained the object of the Bill, which was merely to allow country practitioners to issue writs without being obliged to send to an agent in Toronto, as at present it is necessary to do, by which means great inconvenience is sometimes caused, and the costs nearly doubled.<sup>14</sup>

Several other hon. members spoke of the present system as being very injurious in its effects, and demanding repeal.<sup>15</sup>

(353)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Dickson reported that the Committee had gone through the Bill, and had made several amendments; which amendments were again read at the Clerk's table, and agreed to by the House.*

*Ordered, That the said Bill, as amended, be engrossed.*

*Lands in  
Beverley.*

*The Order of the Day for the second reading of the Bill to establish the boundaries of the Lots and Gores of Land, in the sixth, seventh, eighth, ninth, and tenth concessions of the township of Beverly, in the county of Halton, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Williams took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Williams reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.*

*Ordered, That the said Bill be engrossed.*

*Humber Harbour  
Company.*

*The Order of the Day for the House in Committee on the Bill to incorporate certain persons under the name and style of the President, Directors, and Company, of the Humber Harbour and Road Company, being read,*

*Ordered, That the said Order of the Day be postponed until to-morrow.*

Duties of  
Customs.

*The Order of the Day for the House in Committee  
on the Bill for granting Provincial Duties of Customs,  
being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Price took the chair of the Committee,*<sup>16</sup>

The Inspector General ((MR. ROBINSON)) moved that the Bill be put in force on 6th April. But that the present rate of duties shall be levied on Lumber until July.<sup>17</sup>

DR. DUNLOP said that a great injustice would be done to the Merchants who had shipped goods on the other side of the Atlantic, if a higher duty should be levied on them when they arrive here than they had expected. And as the extra duty on Lumber is not to be put in force till July, he could not see what objections could be made to such a very reasonable proposition as to relax the duty on shipments of goods arriving from the Mother country, in the spring. (No, no.) He moved in amendment that the bill should not be enforced until the month of June.<sup>18</sup>

MR. MOFFATT considered the principle a fair one - but it should be general in its application, and not restricted to contracts for lumber only.<sup>19</sup>

MR. CAMERON could not see any similarity between the two cases, as the merchants did not make any agreement to sell their goods at a fixed price, and would put on the extra duty in selling their goods. The exemption for lumber was but fair, as contracts had been made for supplying it at a fixed rate, but it could not apply to importation of goods by sea into this colony.<sup>20</sup>

MR. AYLWIN said it was well known that vessels are leaving the ports on the other side of the Atlantic, conveying those goods in which the extra duty will be levied; and that being the case if the amendment to the bill, moved by the Inspector General, is a fair one, then that moved by Dr. Dunlop is another which should also meet with the approbation of the House. His knowledge of trade was not very great, but from the information he received, he thought it was necessary for the security of our commercial relations with other countries, that the new tariff should not be put in force immediately, most especially as the loss thus suffered by the revenue, would be so very small as to form no impediment.<sup>21</sup>

DR. DUNLOP had no wish to impede the increase of the revenue, but merely to do an act of simple justice to the mercantile community, and he could see no reason why the Att. General should look so fiercely at him.<sup>22</sup>

The Att. General ((MR. JAMES SMITH)) East - Nothing of the kind, my dear sir.<sup>23</sup>

((DR. DUNLOP resumed:)) He was convinced if he would listen to him, (Dr. Dunlop) he would be ready to concur in the amendment. The Chairman knew, or if he didn't he should know, as every merchant in the House did, that goods have been ordered out from England, under the impression, that a certain rate of duty would be levied on them; and all that he wanted was, those who have ordered out goods under that impression should be allowed to import them at that rate of duty and no higher. He did not want to alter the duties in the bill, but that the merchants who now have their goods at sea, the vessels will be in the Gulf before the House rises, may not be charged a duty that they had no idea of when they sent their orders home. He appealed to every hon. member.<sup>24</sup>

Cries of "hear, hear," Order; Chair &c, which had resounded from all parts of the House for some time.<sup>25</sup>

Well, hon members might "hear, hear," and humbug him ((Dr. Dunlop)) as much as they pleased, but they should not put him down, he had a right to be heard and he claimed that right.<sup>26</sup>

Hear, da capo.<sup>27</sup>

((DR. DUNLOP continued:)) You told them when they sent their orders home that the duty was so much; and now you alter that duty and do them an act of injustice, which will cause some a great loss. Here is the twelfth of March, and an act which was introduced at the beginning of the session has not yet passed the Lower House, then it must pass the Upper House, then receive the royal sanction, and at last it is so contrived as to rob and play devilment among the merchants. He would ask was that fair play?<sup>28</sup>

"Hear, Order, Chair."<sup>29</sup>

There are many fellows in the House who would not dare to insult him ((DR. DUNLOP)) outside of it as they do within. He would teach them better.<sup>30</sup>

The Chairman ((MR. PRICE)) - Order. The hon member is out of order.<sup>31</sup>

((DR. DUNLOP resumed)) He was perhaps out of order, but he was perfectly ready to answer those who thought they were called out of their names when he said "fellows." Worth makes the man.<sup>32</sup>

Order, Chair, Hear, &c.<sup>33</sup>

He ((DR. DUNLOP)) was pleading for justice for the mercantile community. This bill would be an act of injustice to the merchants who bring goods from Home, if they must pay the extra duty, while the lumber merchants will get off with the lesser duty.<sup>34</sup>

MR. DEWITT said there was a great difference between the two cases. The lumber orders have been bona fide contracts, but the orders for goods



from Home are not, and the merchant will charge the duty on the goods in selling them out. (Hear.)<sup>35</sup>

MR. DRUMMOND said that goods coming from the other side of the Atlantic are not contracted for - (hear.) They are brought here by the Merchants themselves at a certain price; and even if any extra duty be imposed as they will all be here together, they will immediately find their own level. But it is not at all the same with a person who has engaged to send a quantity of Lumber to Quebec, and finds that he has to pay a higher rate of duty on every hundred feet than he anticipated.<sup>36</sup>

MR. AYLWIN would vote in favour of the amendment, as it would enable the Colony to carry on trade with England on much better terms, than if the motion of the Inspector General were adopted. As to the argument of the hon. member for Portneuf, that the goods on arriving here from the Mother Country will find their own level, it was perfectly true, but was it fair to the shippers that not expecting any change in the law, should be forced to pay a higher duty on arriving here, than they had expected. He would tell the House what the result of this would be. The English Merchants instead of sending out their goods regularly, will find out when the last tariff was passed and calculate on the length of time that will elapse before it is possible to pass another; they will say that these people are not to be depended on, they are so unsettled in their tariffs, it will be as well to wait for the result of the session. He was opposed to these changes; he wanted to see something permanently established. The English Merchants should not be allowed to look upon us with distrust; but rather that we make no change in our tariff except after due consideration. Let us act in the same manner towards them, as they have done towards us on the timber bill; when the Imperial Parliament took the protection off Colonial Timber, was it done suddenly? Not at all. Our merchants were made aware of it before the bill passed through Parliament, and their remonstrances and petitions were heard in the English Commons; and why should we treat them more harshly than they treat us. As long as the connexion between this Colony and the Mother Country exists, he wished to see every indulgence given to her merchants. He deprecated this mode of Legislation. (Hear, hear.) Yes he did; for by any interruptions to our harmony with the Mother Country, we have everything to lose. (Hear, hear.)<sup>37</sup>

MR. HALL was surprised to hear the observations of the hon member from Quebec. (Hear.) They were not such as usually fall from that hon. member. He said that we should not alter our tariffs because a merchant may have a load of goods at sea that will be liable to the increased duties. Every person knows that a merchant who orders goods out, does it with his eyes open. Merchants in general are pretty knowing; and if he undertook to bring out goods, he would make up his mind to the risk of any increase of duty on their arrival here. He did not conceive that a delay in putting the bill into operation would be made on account of his having a cargo of goods at sea. In his opinion, it was no argument that, because Tom, Dick or Harry, are bringing out goods from England, the tariff should not be enforced. If hon gentlemen could see no reason why lumber should not be exempted from the increased duty, he could. He had made a contract to



supply a Quebec merchant with 5,000,000 feet of pine lumber, and if he were obliged to pay the higher rate of duty it would cause him a very considerable loss, and therefore, it was but fair that Lumber should be exempted. But if he received a cargo of goods from England he would put twenty or thirty percent to meet the increased duty -38

"Yes," "hear, hear," "that's the way."<sup>39</sup>

((MR. HALL resumed:)) And it should be remembered that all the merchants will be in the same position, as the goods cannot arrive here before the passing of the Bill, and none would have an advantage over the other. It struck him as something curious, that the hon gentleman who advocated this amendment should have said in the case of Andres, the contractors on a Canal, that they should have calculated on the chances of the cholera desolating the country. How was it that the same hon. member who laid it down so dogmatically, that a contractor on a canal should calculate on the chances of an Asiatic cholera, could not see that a merchant might calculate on a change in the tariff.<sup>40</sup>

DR. DUNLOP wished the hon gentleman would not invent. He never said such a piece of nonsense.<sup>41</sup>

MR. HALL did not attribute it to the hon member from Huron. He referred to the hon member for Quebec. How was it that the hon member who wished the contractors to foresee and calculate on what would happen by the will of God, could not believe it possible for a merchant to foresee the operations of the Provincial Legislature.<sup>42</sup>

MR. THOMPSON hoped the amendment would not pass, as it would destroy the bill, and the tariff could never be collected if such amendments were made.<sup>43</sup>

MR. DEWITT said in the wording of the bill, all goods coming from sea or elsewhere, are to be subjected to the duty on the 6th April. Now he would like to know, if he had 1000 oxen coming from Ohio, would they be freed from paying the extra duty, because he had ordered them before the bill passed. (hear, hear,) except it was on contract.<sup>44</sup>

MR. MOFFATT wished the vote he was about to give to be understood; he did not contend for the principle involved in Dr. Dunlop's amendment but for that briefly adverted to by the hon. member for Leinster, that oxen, or any kind of goods deliverable in the Province on the opening of the navigation under existing contracts, should as well as lumber, be exempt from the extra duty imposed by the Bill. Were such the scope of the proviso, he should not have a word to say against it - but in exempting Lumber Contractors only, injustice may be done to other parties. It was on that ground that he should vote against the amendment, and also against the proviso proposed by the Inspector General.<sup>45</sup>

DR. DUNLOP's amendment was then put and lost.<sup>46</sup>

The Inspector General's motion was carried.<sup>47</sup>

The Proviso in the third clause, enacting that no credit shall be given at the Custom Houses, for payment of Customs, but that all dues shall be discharged immediately, was struck out.<sup>48</sup>

MR. MERRITT called the attention of the House to the great inconvenience that would result from the necessity for paying the customs in sterling as enacted by the 6th clause. The fact was that few persons in the Province can tell what is the value of sterling money.<sup>49</sup>

MR. ((HENRY)) SMITH, of Frontenac, said it was necessary for the convenience of the Customs House Officers that the dues should be paid in sterling. Several complaints were made by them of the inconveniences and errors arising from keeping accounts in sterling currency.<sup>50</sup>

MR. MERRITT thought that the inconvenience to the population would be far greater than to the Customs Officers. He felt certain that very few members in the House, except those in the administration, knew the value of sterling money. (Oh! oh!) He would ask the hon. member from Frontenac what is the value of a shilling sterling?<sup>51</sup>

MR. ((HENRY)) SMITH, ((FRONTENAC)) An English Sterling. (Loud Laughter.)<sup>52</sup>

MR. MOFFATT had given notice that he would, in Committee, move to rescind the additional duty on flour, and to restore provisions, imported for the use of Her Majesty's Forces, to the list of articles exempt from duty. On further consideration, he did not think he ought to persist in the latter if the administration were satisfied with the exclusion, he would leave the matter in their hands. With respect to the former, he considered 2s. sterling per barrel on flour - equal to 2s. 5d. currency - and about the equivalent of 3s. per quarter on wheat, as being quite sufficient for agricultural protection. This duty whenever there existed a demand for our wheat or flour in England, would enhance the cost of American flour required for consumption in the large towns and in other parts of the Lower Province, and in the case of the consumer as well as the producer, desired consideration. He therefore moved, that the duty of 6d. per barrel on flour, be struck out.<sup>53</sup>

MR. ROBINSON trusted that if the Committee did strike out this six-penny duty, it would remember that it was forced on the Government, as a further protection of agricultural interests.<sup>54</sup>

MR. MERRITT hoped the hon. member for Montreal would postpone the motion until the bill is discussed.<sup>55</sup>

((An Hon. Member said:)) "It has been discussed."<sup>56</sup>

((MR. MERRITT resumed:)) Yes, he knew it was, but it must come again; and he wanted to know if the Ministry had heard of a law that was passed in the U.S. Senate which would materially alter the relations of the two countries.<sup>5</sup>

ATT. GEN. ((JAMES)) SMITH said it was too late to discuss this question at present. It would be enough to say that the law was passed through the Senate, and if it were necessary to take any steps to meet the operation of that law, it should be done this session.<sup>58</sup>

MR. ROBLIN said that by the operation of the present bill, there is a slight preponderance in favour of the importation of flour; whereas if the sixpence be put on flour, it will throw it in favour of wheat, and consequently we will have the milling business in our hands.<sup>59</sup>

MR. MOFFATT's motion was then put, and lost.<sup>60</sup>

MR. ROBINSON had ... ((further amended his proposal for the sugar duties. He proposed to admit Muscovado and bastard sugar at the same rate of duty.))<sup>61</sup>

MR. CAMERON moved an amendment to place ten per cent ad valorem on all bastards "improved in quality by refinement". ...He produced samples of Muscovado and of bastards the latter much higher in price and more valuable, which would be admitted at a lower duty than the former.<sup>62</sup>

MR. ROBLIN....((spoke)) in support of the amendment, ... shewing the operation of the proposed tariff and its injurious effect, both on the revenue and the consumer.<sup>63</sup>

MR. ROBINSON said that he had originally proposed the duty suggested by Mr. Cameron, but the House had decided against him, and he would now adhere to ... ((his own)) amendment.<sup>64</sup>

MR. MOFFATT ((argued)) that bastard sugars being a British manufacture should pay no more duty than British muscovado. According to this argument refined sugars should likewise be admitted on the same terms.<sup>65</sup>

((MR. CAMERON ... failed in carrying his amendment.))<sup>66</sup>

MR. MOFFATT said that the conduct respecting the sugar question had been made the subject of attack in a journal in this city; but he supposed that must be his penalty for entering into public life.<sup>67</sup>

MR. AYLWIN, -Hear, hear. Certainly. Very properly so.<sup>68</sup>

MR. MOFFATT continued - He was represented as having advocated a lower duty on bastard sugar, in consequence of his being agent for the house of McFie & Company. This was untrue. He admitted having transactions with them, but neither was nor ever had been the agent of that house. He was said to have been speculating in low priced wines, and, in consequence, to have taken the part he did respecting the duty on that article. This



was also untrue. He did not believe that he had been interested in any purchase of wine for nearly twelve months. Both charges were false, and were, he supposed, brought against him as a political opponent. He was said to have formed his opinion on the consideration of the Government. Now, he declared that he had never volunteered his advice on these matters, and he made the statement in the presence of the Administration, that they might contradict it if they could. His opinion had been asked, he supposed, as President of the Board of Trade, and he had given it when called for; but he had never sought for protection either from the present Government or their predecessors, and required no protection in the management of his business or in the exercise of his industry and enterprise, but the protection of the law, and to which he was entitled in common with his fellow subjects.<sup>69</sup>

MR. ROBINSON fully corroborated what Mr. Moffatt had stated, so far as it was in his power to do. But with respect to what the newspapers said, he really could form no idea, not having time to read them. Whenever the hon. member gave the Government his advice, it was when asked for as the President of the Board of Trade, but so far from tendering his advice unsought for, he had never done so to his knowledge.<sup>70</sup>

MR. CAMERON said, as there was a good deal of feeling abroad with respect to what had appeared in a paper in town in the subject of McFie & Company, he would read a letter he had received lately, stating that all the bastards in possession of that Company was to be sent to the house of Gillespie & Moffatt. (Cheers and laughter.)<sup>71</sup>

MR. MOFFATT contradicted the statement contained in the letter; he had no such information from Mr. McFie & Co., and stated his belief that the statement would not be corroborated by them.<sup>72</sup>

MR. CAMERON could not say anything more than that such a statement was in the letter he held in his hand.<sup>73</sup>

"Name, name."<sup>74</sup>

MR. AYLWIN. - No; do not name.<sup>75</sup>

MR. CAMERON did not wish to name the person who wrote it. It contained nothing serious.<sup>76</sup>

MR. JOHNSTON had a pretty good idea that the letter was from the late Inspector General.<sup>77</sup>

MR. CAMERON. - No, it was not. The late Inspector General knew nothing of it.<sup>78</sup>

MR. JOHNSTON. - Then why couldn't you say so at once, and not make me father those bastards on him. (Hear, hear.)<sup>79</sup>



MR. ROBINSON moved that ten per cent on drugs and dye-stuffs was too high; he would therefore reduce them to five per cent, which is the existing duty.<sup>80</sup>

((This motion was carried.))<sup>81</sup>

MR. AYLWIN ... ((charged)) the ministry with having yielded the principle of responsible government, by submitting to have some of the duties made higher and some lower according to the suggestions of honourable members.<sup>82</sup>

COL. PRINCE replied to Mr. Aylwin ... that it was the absolute duty of a ministry to accede to the wishes of a majority of the House in such a case, and that so far from infringing upon the principle of responsible government, it went to sustain that principle. He concluded by repelling an indirect attack upon his political consistency. "I support the present administration, because at the very outset of this session they professed very liberal measures (somewhat to my surprise I admit), and principles which were in unison with my own views. - I shall continue to support them so long as they continue to carry out those principles and measures. I supported the late administration upon the same principles; and I now challenge the late ministry, who are in their places, to point out in what respect this administration is less liberal or less deserving of my humble support, or of the confidence of the country than they were, or in what respect I am inconsistent in giving them support, I defy those honourable gentlemen to do so."<sup>83</sup>

MR. GOWAN ... followed Mr. Prince and declared that the present administration were more liberal than the last were, and ((argued his point at some length.))<sup>84</sup>

The schedule was then adopted.<sup>85</sup>

(353)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Price reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

*Ordered, That the remaining Orders of the Day be postponed until to-morrow.*

*Then, on motion of Mr. Sherwood, of Brockville, seconded by Mr. Gowan,*

*The House adjourned.*

APPENDIX, 12 MARCH 1845.

((QUESTION AND ANSWER RE: GOVERNMENT EXPENDITURE ON UPPER CANADA HIGHWAY.))

LE COLONEL PRINCE (( a posé une question au gouvernement.))<sup>86</sup>

M. LE PROCUREUR-GENERAL ((J.)) SMITH répondit que, vû l'état des travaux publics et leurs grandes dépenses, le gouvernement ne se croyait pas justifiable d'ordonner la mise à exécution du chemin en bois sur la grande route du gouvernement qui conduit de London à Chatham, Sandwich et Amherstburg, Haut-Canada. Cependant il espérait que drns (sic) le cours de l'an-prochain on aurait les moyens d'accomplir les améliorations demandées par l'hon. et savant membre d'Essex.<sup>87</sup>

FOOTNOTES - 12 MARCH 1845.

1. The debate on this matter was reported by: PILOT, 13 March 1845, whose account was translated by LE CANADIEN, 17 March 1845; and LA MINERVE, 13 March 1845.
2. PILOT, 13 March 1845.
3. IBID.
4. IBID., which added that "There was no answer on the part of the government."
5. PILOT, 13 March 1845.
6. IBID.
7. The debate on this matter was reported by: PILOT, 13 March 1845; MONTREAL GAZETTE, 15 March 1845, and KINGSTON NEWS, 20 March 1845, in identical accounts; MONTREAL TRANSCRIPT, 13 March 1845; and the BATHURST COURIER, 25 March 1845. The PILOT described this debate as "tedious", with "Mr. Johnston opposing every clause and making interminable speeches."
8. MONTREAL GAZETTE, 15 March 1845.
9. IBID.
10. IBID.
11. PILOT, 13 March 1845.
12. MONTREAL TRANSCRIPT, 13 March 1845.
13. The following was reported by: MONTREAL GAZETTE, 15 March 1845, and KINGSTON NEWS, 20 March 1845, in identical accounts; PILOT, 13 March 1845; and MONTREAL TRANSCRIPT, 13 March 1845. The PILOT commented about this debate: "The lawyers from the country seemed to be in 'antagonism' with those from the city. A tiresome debate ensued."
14. MONTREAL GAZETTE, 15 March 1845.
15. IBID.
16. The debate on this matter was reported by: BATHURST COURIER, 25 March 1845; PILOT, 15 March 1845; BRITISH COLONIST, 21 March 1845; and MONTREAL GAZETTE, 15 March 1845, and KINGSTON NEWS, 20 March 1845, in identical accounts. The order of speakers is extremely difficult to establish because the reports deal only with certain parts of it, each one different. Therefore, the order in the reconstructed debate must be considered no more than tentative. For example, there is no certain way of knowing if Moffatt's complaint about the PILOT's articles came before, during or after the motions and amendments on the sugar duties, nor is Aylwin's complaint against the Ministry, followed by Prince's and Gowan's defence, any easier to place in precise context.
17. MONTREAL GAZETTE, 15 March 1845.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.

29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. PILOT, 15 March 1845.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. MONTREAL GAZETTE, 15 March 1845. Moffatt was referring to a series of articles, in the form of a play entitled "A Peep Behind The Curtain" which began in the PILOT, 8 March, and continued in each issue, 11, 13, 15, March 1845, from the 11th under the new title "The Sugar Duties." It was never completed; Scene V, promised for 18 March 1845, never appeared.
68. MONTREAL GAZETTE, 15 March 1845.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.



- 74. IBID.
- 75. IBID.
- 76. IBID.
- 77. IBID.
- 78. IBID.
- 79. IBID.
- 80. IBID.
- 81. IBID.
- 82. BRITISH COLONIST, 21 March 1845.
- 83. IBID.
- 84. IBID.
- 85. MONTREAL GAZETTE, 15 March 1845.
- 86. LA MINERVE, 13 March 1845.
- 87. IBID.

THURSDAY, 13 MARCH 1845.

(353)

Election, Third  
Riding, York.

ACCORDING to Order, the Honourable Mr. Attorney General Smith, Member for Missisquoi, and George Macdonell, Esquire, Member for Dundas, who were absent yesterday from the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, severally attended in their places in this House.

Members taken  
in custody.

Mr. Macdonald, of Kingston, moved, seconded by Mr. Meyers, that the Honourable Mr. Attorney General Smith, and George Macdonell, Esquire, having appeared in their places, and not having shewn to the House by facts stated, and verified upon oath, that they, or either of them, were, by sudden accident, or by necessity, prevented from attending the Select Committee, appointed to try the contested election for the Third Riding of York; they be forthwith ordered to be taken into the custody of the Sergeant-at-Arms, attending this House, and shall not be discharged out of custody, without the special order of this House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved, accordingly.

Ordered, That the Honourable Mr. Attorney General Smith, and George Macdonell, Esquires, be taken into the custody of the Sergeant-at-Arms attending this House.

The Sergeant-at-Arms attending this House, informed the House, that he had, pursuant to their order, taken into his custody the Honourable Mr. Attorney General Smith and George Macdonell, Esquire, Members of this House.

Mr. Macdonald, of Kingston, then moved, seconded by Mr. Meyers, that the Honourable Mr. Attorney General Smith, and George Macdonell, Esquire, in custody of the Sergeant-at-Arms attending this House, for neglecting

(354)

to attend the Committee yesterday, be forthwith reprimanded by Mr. Speaker, and then discharged out of custody.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Brooks, Cameron, Chalmers, Christie, Colvile, Cummings, Daly,

Dickson, Attorney General Draper, Duggan, Dunlop, Greive, Hall, Jessup, LaFontaine, Leslie, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Murney, Papineau, Powell, Petrie, Price, Prince, Riddell, Robinson, Roblin, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Watts, and Webster--(39.)

## NAYS.

Armstrong, Berthelot, Boutillier, Chabot, Drummond, Jobin, Johnston, Lantier, Laterrière, Macdonald of CORNWALL, Macdonald of GLENGARRY, Merritt, Méthot, Morin, Rousseau, Scott, Taché, and Williams--(18.)

So it was carried in the affirmative, and

Ordered, accordingly.

MembersReprimanded.

The said Members being called to the Bar, Mr. Speaker reprimanded them, according to the order of the House; they were then discharged from custody, and returned to their seats.

Petitionsbrought up.

The following Petitions were severally brought up and laid on the table:--

By Mr. Williams, the Petition of W. H. Allen and others, of the townships of Hope and Clarke, in the district of Newcastle, the Petition of John Campbell, of Kingston; the Petition of John Fogarty and others, labourers employed by John Campbell, late contractor on Lake Ontario, and Rice Lake Road; and the Petition of H. H. Meredith and others, creditors of John Campbell, late contractor on the Rice Lake, and Lake Ontario Road.

By Mr. Powell, the Petition of Robert Benjamin and others, of the district of Talbot.

By Mr. Smith, of Frontenac, the Petition of the venerable George O'Kill Stuart, L.L.D. and others, inhabitants and proprietors of Lot. No. 24, in the first concession of the township of Kingston.

By the Honourable Mr. Attorney General Smith, the Petition of the Reverend Charles C. Cotton and others, members of the Church of England of the township of Dunham, Eastern townships.

By the Honourable Mr. Baldwin, the Petition of Richard Shaw and others, of Cavan, and other townships, in the districts of Newcastle and Colborne.

By Mr. Cummings, the Petition of Robert Hobson, Esquire, and others, of the township of Thorold, in the district of Niagara.

By Mr. Prince, the Petition of Henry Smith, junior, Esquire, and others, of the Home and Gore districts.

By the Honourable Mr. Moffatt, the Petition of C. H. Castle and others, of the city of Montreal.

Limits of Bytown. An engrossed Bill to define the limits of Bytown, and to establish a Board of Police therein, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to define the limits of the town of Bytown, to establish a Board of Police therein, and for other purposes therein mentioned."

Ordered, That Mr. Stewart, of Bytown, do carry the said Bill to the Legislative Council, and desire their concurrence.

Testatum Writs. An engrossed Bill to allow the issuing of Testatum writs of Capias ad respondendum in the several districts in Upper Canada, and for other purposes therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sherwood, of Brockville, do carry the said Bill to the Legislative Council and desire their concurrence.

Lands in Beverly. An engrossed Bill to establish the Boundaries of the Lots and Gores of Land, in the sixth, seventh, eighth, ninth and tenth concessions of the township of Beverly, in the county of Halton, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to establish the Boundaries of Lots and Gores of Lands in the sixth, seventh, eighth, ninth and tenth concessions of the township of Beverly, in the county of Halton."

Ordered, That Mr. Dickson do carry the said Bill to the Legislative Council, and desire their concurrence.

Contested Election, Third Riding, York. Mr. Taché, from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, reported to the House, that the Committee met this day, at nine o'clock, but the Honourable Mr. Aylwin not attending, they waited until ten o'clock, and then adjourned for ten minutes; at the expiration of which time they again met; but Mr. Aylwin being still absent they waited until ten minutes



past eleven, and then adjourned until ten o'clock A.M. to-morrow.

Ordered, That the Honourable Thomas Cushing Aylwin, Member for the city of Quebec, do attend in his place in this House, to-morrow.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Macdonell, of Dundas,

Petition of C.H. Castle and others, read.

Ordered, That the Petition of C. H. Castle and others of the city of Montreal, praying that An Act may be passed to incorporate them under the name and style of "the Montreal

Building Society," be now read, and that the Rule of this House of the twenty-eighth of June, 1841, be dispensed with as to the present Petition.

The said Petition was read accordingly.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the Reverend William Arnold and others, members of the Church of England, in the mission of Gaspé Bay, praying that measures may be adopted for vesting in the Church Society of the diocese of Quebec, for the benefit of the said Church, a portion of the Clergy Reserves corresponding with their share of the funds arising from the same.

Of Andrew N. Buell, of Brockville, Esquire, praying for the payment of his claims as a contractor on the St. Lawrence Canal.

Petition of A. N. Buell.

Mr. Sherwood, of Brockville, moved, seconded by Mr. Hall, that the Petition of Andrew N. Buell, of Brockville, Esquire, be referred to a Select Committee, composed of Mr. Sherwood, of Brockville, Mr. Cameron, Mr. Powell, Mr. Seymour, and Mr. Jessup, to examine the contents thereof, and to report

(355)

thereon with all convenient speed; with power to send for persons, papers and records.<sup>1</sup>

MR. CAMERON objected to the reference of the petition: it was exactly similar to the petition of Reed and Sheppard for work done on the same canal. The Ministry had taken high grounds on that occasion; and charged the Opposition with a wish to deprive the subject of the right of petition, and the same charge was made against him at his election. But as that petition had been referred to a Committee he trusted that the same course would be pursued with that of Mr. Buell.<sup>2</sup>

DR. DUNLOP said it would be ridiculous to refer the petition to the committee, which have already eleven before them, and have been eighty-three days at that very petition of Reed and Sheppard, altho' they have not been idle, as the mass of evidence taken by them would show: and yet, after

spending all that time, they have done absolutely nothing, not being yet able to report. So it would be no earthly use to refer this petition to them or what in God's name would become of the eleven others?<sup>3</sup>

SOL. GEN. ((HENRY)) SHERWOOD said that Mr. Cameron had mistaken facts connected with these petitions. In the case of the petition of Reed and Sheppard, the petitioners stated that they had gone to the Government: their petition was under the notice of the Government ever since 1841; and they stated that it was only after having failed to obtain redress from the Government that they came down to the House. But in this case, the petitioner did not pretend to say that he had referred his petition to the Government, and consequently he made the supposition that it had not been referred (sic). He ought to say so if it were done, and that his petition was rejected. But if that were not the case, was any person to be allowed to come here and ask for remuneration for loss, without taking the only legitimate mode of procuring it? If, under these circumstances, the House thought fit to take the petition up, of course they might; but it was utterly impossible for the Executive to adjudicate upon petitions they had no opportunity of examining. He called upon hon. members to observe the distinction. Petitioners can only come to the House to demand remuneration for loss, after the Government has refused to grant their prayer, and then it remains with the House to judge whether the rejection of the petition was or was not founded on good grounds. But if they did not take that course, it was incompetent for petitioners to come here and ask this House for money out of the public chest without the consent of the Government.<sup>4</sup>

MR. ((GEORGE)) MACDONELL, of Dundas, said that the Sol. General had objected to the reference (sic) of the petition, because Mr. Buell had not applied to the Executive, and from that, drew a conclusion that it was contrary to the principles of the present practice as laid down in the U. Act. He dissented from and protested against such a decision as aiming at the rights and liberties of the people. He trusted that the people would be allowed to come to the people's House, and prefer their claims for consideration, without being obliged to wait on the Government previously. The Union Act points out that it shall not be within the power of others than members of the Executive to originate a money bill. Did this petition ask the House to originate a money bill? No, it did not. It merely said that justice had not been done the petitioner by the Board of Works. The allegation might be correct or it might not, and it was within the power of the House to direct an investigation to be made into its justice; that could not infringe the Union Act, as it would merely place the Government in such a position, as to take up the report of the committee and either vote a sum of money to remunerate the petitioner's loss, or else refuse to do so. If after examining the petition the Government objected to reference on account of its contents, he would then have given them that support which he would feel disposed to do; but when without this they attempted to stifle the rights of petition, he would always protest against it.<sup>5</sup>

MR. JOHNSTON would protest against such mode of proceeding as his hon. friend from Dundas would wish to introduce. If it were once brought into play, they might expect to sit here for six months, examining petitions for remuneration. Mr. Macdonald said the petition stated merely that Mr. Buell had been injured by the Board of Works; well if that were the case, his hon. friend was a professional man, he should tell Mr. Buell to go into the court of law for redress, he should tell him that the Board of Works can sue, and be sued, but this House is not the place for it. (Hear, hear.) The claim of the others was the same as this; but they had applied to the Government, and the government admitted it to be a just one; but of this they were perfectly ignorant, as the petitioner had not applied to the Executive for remuneration. If it were admitted they might just sit six months longer, for a number of vindictive men would bring on trifling claims against the Board. One man would have lost a spade, another a pig, another a cow, and so on. He would oppose such a system.<sup>6</sup>

MR. ((HENRY)) SMITH of Frontenac concurred in the views of the hon. member for Carleton.<sup>7</sup>

(355)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Dunlop, Lantier, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, Riddell, and Sherwood, of BROCKVILLE.--(7.)

NAYS.

Baldwin, Berthelot, Bertrand, Boutillier, Brocks, Cameron, Cauchon, Chabot, Chalmers, Chauveau, Cummings, DeBleury, Desaunier, Dickson, Attorney General Draper, Drummond, Ermatinger, Foster, Grieve, Hall, Jessup, Jobin, Johnston, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Merritt, Méthot, Meyers, Moffatt, Morin, Murney, Papineau, Price, Prince, Robinson, Rousseau, Scott, Seymour, Solicitor General Sherwood, Small, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Thompson, Watts, Webster, and Williams.--(54.)

*So it passed in the negative.*

*A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--*

MR. SPEAKER,

*The Legislative Council have passed the following Bills, without any amendment:--*



Agriculture,  
Lower Canada.

"An Act to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein."

"Christian  
Unitarians."

"An Act to afford relief to a certain religious congregation at Montreal, denominated 'Christian Unitarians.' "

Claims for  
Rebellion.

"An Act to provide for the payment of Claims arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the duties on Tavern Licences, to local purposes."

And also,

St. Lawrence and  
Atlantic Railroad.

The Legislation Council have passed the Bill, intituled, "An Act to incorporate the Saint Lawrence and Atlantic Railroad Company," with several amendments; to which they desire the concurrence of the Assembly.

And then he withdrew.

Mr. Speaker laid before the House, Statement of the affairs of the St. Lawrence Inland Marine Insurance Company, for the year 1844.

(For the said Statement, see Appendix S.)

Report on the  
Petition of the  
Reverend T. O.  
Archambault.

Mr. Colville, from the Select Committee, to which was referred the Petition of the Reverend T. O. Archambault and others, of the parishes of St. Timothée and St. Clément, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix T. T.)

Ordered, That the said Report be committed to a Committee of the whole House to-morrow.

Report on the  
Petition of A.  
Furniss.

The Honourable Mr. Solicitor General Sherwood, from the Select Committee, to which was referred the Petition of Albert Furniss, of Montreal, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

"The Petitioner and another person, upon an arrangement with the Common Council of the city of Toronto, proceeded to erect, at a large outlay, Gas, and Water-works in the said city; and while the said works were in progress, a Bill passed the Legislature of this Province, incorporating



the Petitioner and his associate into a Company, to be called 'The City of Toronto Gas Light and Water Company.' In this Bill it is provided, that the said Company shall construct a certain number of water plugs, for the supply of water for the said city, free of charge.

"This provision in the said Bill is at variance with the original understanding upon which the Petitioner and his associate undertook the said Works; and as the Petitioner asks for such an amendment in the Charter, as will place him upon the footing originally intended; your Committee beg leave to recommend the prayer of the said Petitioner, in this respect, to the favourable consideration of your Honourable House.

"The Petitioner also asks for a further amendment of the said Charter, as will restrict to the Corporation alone the right to sue for such penalties as the said Company may incur under the provisions of the said Act, for not finishing any work undertaken by them in the said city, and replacing the streets, squares, and public places in as good a condition as they were in before the commencement of the same.

"Your Committee, therefore, recommend the adoption of a Bill, embracing the foregoing amendments, to which the Corporation of the said city of Toronto have given their assent."

Toronto Gas Light and Water Company.

Ordered, That the Honourable Mr. Solicitor General Sherwood have leave to bring in a Bill, to amend the Act of incorporation of the City of Toronto Gas Light and Water Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Harris' Divorce.

Mr. Macdonald, of Kingston, from the Select Committee, to which was referred the engrossed Bill from the Legislative Council, intituled, "An Act to dissolve the marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned;" and another reference, presented to the House the Report of the said Committee, which was again read at the Clerk's table; and also reported, that the Committee had gone through the said Bill, without making any amendment thereto:--

"Your Committee have examined the allegations of the Bill, as to the marriage of the parties, the adultery charged as the ground for the dissolution of the marriage, and the verdict at Law; and upon evidence, satisfactory to your Committee, they found the same, and the other allegations, to be true; and they see no reason to suspect collusion between the parties; and they have gone through the Bill, and beg leave to report the same without amendment."

Ordered, That the said Report do lie upon the table.

J. G. Tourangeau  
and others.

Mr. Chauveau, from the Select Committee, to which was referred the Petition of J. G. Tourangeau and others, inhabitants of the city of Quebec and its vicinity, and other references, presented to the House the Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix U. U.)

(356)

Ordered, That one hundred copies of the said Report, be printed in each of the English and French languages, for the use of the Members of this House.

Ordered, That the said Report be committed to a Committee of the whole House, to-morrow.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Channels, Lake  
St. Peter.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to cause the proper officer to lay before this House, the Reports of Mr. Atherton, C. E., and Captain Boxer, R. N., on the channels in Lake St. Peter.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by the Honourable Mr. Attorney General Draper,

Insolvent  
Debtors.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act for the relief of Insolvent Debtors, in Upper Canada; and for other purposes therein mentioned," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 17, Line 39.--After "Parliament," insert the following clause:--

"And be it enacted, that this Act shall be, and continue in force for two years from the passing thereof, and from thence to the end of the next ensuing Session of Parliament, and no longer."

And the said amendment being again read, it was agreed to by the House.

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendment.

Montreal Building Society. Ordered, That the Honourable Mr. Moffatt have leave to bring in a Bill for the Incorporation of certain individuals under the name and style of the Montreal Building Society.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

On motion of the Honourable Mr. Small, seconded by the Honourable Mr. Aylwin,

Lunatic Asylum. Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that Excellency will be pleased to order the proper officer to lay before this House, with as little delay as possible, a detailed Statement of the several amountspaid into the hands of the Receiver General of this Province, by the Treasurers of the several districts of the late Province of Upper Canada, for the establishment and support of a Lunatic Asylum, during the years 1840, 1841, 1842, 1843, 1844, and 1845, showing the amount received from each district, respectively, during the above periods.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Culling and Measurement of Timber. Mr. Stewart, of Bytown, moved, seconded by Mr. Smith, of Frontenac, that the Order of the Day for the House in Committee on the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature; and to repeal the Act 7th Vic-toria, chapter 25, as reported by the Select Committee, to which was referred the Petition of John P. Waterson and others, licensed Deal Cullers, of the city of Quebec, be the first Order of this Day; and that the Rules of this House be dispensed with, in so far as they apply to this case.

The question having been put on the said motion, a division ensued,

YEAS, .....27

NAYS, .....24

So it was carried in the affirmative, and



Ordered, accordingly.

Salmon pre-  
servation,  
Upper Canada.

Ordered, That the Honourable Mr. Small have leave to bring in a Bill to repeal and reduce into one Act, the several Laws now in force, for the preservation of Salmon in that part of this Province formerly Upper Canada, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Wednesday next.

On motion of Mr. Christie, seconded by Mr. Chabot,

Steam Packet  
Unicorn.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to take into consideration, in case of the discontinuance of the Mail communication between Quebec and Pictou, on the route to Halifax, by means of Her Majesty's hired Steam packet Unicorn; the expediency of legislative provision to encourage, during a limited time, a communication by Steam packet between those ports, stopping at such intermediate places as may be deemed advisable.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Common School  
Houses, Upper  
Canada.

Mr. Meyers, from the Committee of the whole House for the purpose of considering the expediency of empowering the District Councils and other Municipal authorities in Upper Canada, to provide for the erection, completion, repairing and furnishing Common School Houses in that part of this Province, reported, according to order, the resolution of the said Committee; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to empower District Councils and other Municipal authorities in Upper Canada, to provide for the erection, completion, repairing and furnishing of Common School Houses in that part of this Province.

(357)

Ordered, That Mr. Powell have leave to bring in a Bill to provide for the erection of Common School Houses in Upper Canada, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next; and that it be then the first Order of the Day.



Fees of Sheriffs.

Mr. Hall, from the Committee of the whole House on the Bill to regulate the fees of Sheriffs and other officers, in that part of this Province called Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Duties of Customs.

Mr. Price, from the Committee of the whole House on the Bill for granting Provincial Duties of Customs, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table.

Ordered, That the question of concurrence be now separately put upon each of the said amendments.

And the first and second of the said amendments being again read, they were agreed to by the House.

The third of the said amendments being again read, and the question being put thereon, a division ensued, and it was carried in the affirmative.

The fourth of the said amendments being again read, and the question being put thereon, it was agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Culling and Measurement of Timber.

The Order of the Day for the House in Committee on the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, being read,

Ordered, That the said Order of the Day be postponed until Monday next, and that it be then the first Order of the Day.

Public Lands.

Ordered, That the Order of the Day for receiving the Report of the Special Committee, to which was referred the Bill to extend the provisions of the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to enable persons who located Lands prior to the 4th April, 1839, to perfect their titles to the same, and other references, be postponed until Wednesday next, and that it be then the first Order of the Day.

Public Accounts.

The Order of the Day for the House in Committee

on the Bill to prescribe the manner in which Public Accounts shall be annually laid before the Legislature, as reported by the Special Committee to which were referred the Public Accounts of 1843, being read,

*The House accordingly resolved itself into the said Committee.*

*Mr. Macdonell, of Stormont, took the chair of the Committee,*<sup>8</sup>

MR. MERRITT stated that the bill was introduced last session, and the principle was then adopted, but could not be passed into a law in consequence of the session breaking up. As it was a matter on which there could be no discussion, he would vote for the adoption of the first clause.<sup>9</sup>

MR. ROBINSON was not prepared to vote in favor of the bill, some of its provisions appeared to him to be ill calculated for the assistance of a Ministry in another session like the present.<sup>10</sup>

MR. DRAPER requir((ed)) further time for consideration of some clauses of the Bill.<sup>11</sup>

MR. MERRITT could not understand what opposition there could be to the bill; he, however, did not wish to press it on, and therefore moved that the Committee rise and ask leave to sit again.<sup>12</sup>

(357)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Macdonell reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Wednesday next.*

Island of Orleans, Registry.

*The Order of the Day, for the second reading of the Bill, to detach the island of Orleans from the county of Montmorenci, for the purposes of Registration of Titles, and to establish a Registry Office in the said island, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Lantier took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

And Mr. Lantier reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment.

Kingston Incorporation. "An Act to repeal a certain provision of the Act, incorporating the town of Kingston, and to provide for the assessment and collection of the district taxes in the said town, by an assessor and collector, to be appointed by the district Council."

Upper Canada Loan and Trust Company. "An Act to amend and extend certain provisions of an Act made and passed in the seventh year of the reign of Her present Majesty, intituled, "An Act for incorporating and granting certain powers to the Upper Canada Trust and Loan Company."

And then he withdrew.

Humber Harbour Company. The Order of the Day for the second reading of the Bill, to incorporate certain persons under the name and style of the President, Directors, and Company of the Humber Harbour and Road Company, being read,  
Ordered, That the said Order of the Day be postponed until Monday next.

Printed Copies of the Laws. The Order of the Day for the second reading of the Bill, to provide for the distribution of the printed copies of the Laws, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Riddell took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Riddell reported, that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Riding over  
Bridges, Upper  
Canada.

The Order of the Day for the second reading of the Bill, to prevent persons riding or driving at a fast rate over certain Bridges erected across the Grand River, in Upper Canada, being read,

(358)

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Seymour took the chair of the Committee,

MR. DICKSON ((introduced this bill) to prevent fast driving over bridges on the Grand River.<sup>13</sup>

SOLICITOR GENERAL ((HENRY)) SHERWOOD supported by MR. RIDDELL and others ... ((wished to)) make it applicable to all bridges in Upper Canada, of the width of thirty feet.<sup>14</sup>

((The bill was altered to incorporate this suggestion.))<sup>15</sup>

(358)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Seymour reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Winter Roads.

The Order of the Day for the House in Committee, on the Bill to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province, heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec to the parish of Nicolet, on the South side of the River St. Lawrence, and to the town of Three Rivers inclusively, on the North side, and other references, being read,

Ordered, That the said Order of the Day be postponed until Monday next.

Notaries.

The Order of the Day for the second reading of the Bill to repeal part of a certain Ordinance therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners' Courts, in Lower Canada, being read,



The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Hall took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hall reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Taxes in  
Gloucester.

The Order of the Day for the second reading of the Bill to authorize the Assessment and Collection of Taxes, in the township of Gloucester, for the

year 1844, being read,

The said Bill was accordingly read, and ordered to be engrossed.

Taxes in the  
District of  
Johnstown.

The Order of the Day for the second reading of the Bill to provide for the collection of Arrears of Taxes, in the district of Johnstown, and for other purposes, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Stewart, of Bytown, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Stewart, of Bytown, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Registration,  
Lower Canada.

The Order of the Day for the second reading of the Bill to amend the Act and Ordinance therein mentioned, relative to the registration of titles

to, and incumbrances upon, real Property, in Lower Canada, being read,

The said Bill was accordingly read, and referred to the Select Committee to which was referred the Bill still further to facilitate the registration of titles to real Property, or incumbrances thereon, in Lower Canada.

North American  
Colonial Associ-  
ation of Ireland.

*The Order of the Day for the second reading of  
the Bill to give further powers to the North Ameri-  
can Colonial Association of Ireland, being read,*

*The Honourable Mr. Moffatt moved, seconded by Mr. Johnston, that the  
said Bill be now read a second time.*<sup>16</sup>

This measure was introduced by MR. MOFFATT.<sup>17</sup> ((He said that)) by an Imperial Act in 1835 ... ((the Association)) acquired the Seignior of Beauharnois ... that act ... was repealed in 1842, with the exception of the two first clauses, which merely acknowledged the existence of the association. By the Imperial act of 1842, the Company was established with a capital of £300,000 with powers to extend it to £500,000 - if it should be found necessary. The Imperial act does not authorise the Company to do more than what has been done, and he called the attention of the House to the great care with which that act was drawn up; as it was customary to give very extensive powers to companies whose field of operations was in the colonies, but so far from that being the case in this instance, that the Company was very considerably restricted. It authorised the association to lend money on real estate, but instead of allowing it to hold lands to a very large amount, as was often the case, precluded them holding lands over one fifth of the capital. Thus if the capital were £100, the association could only hold property to the value of £20, and if it were £4000 - they could hold land to no greater amount than £200 (sic). The Company is also authorised by this bill to sell any lands that it may acquire. To appoint two persons to manage its affairs; and to sell mortgaged lands by the Sheriff, and he would here remark - that he had never seen so much caution used in any other act of Incorporation, as is contained in the thirteenth clause, which was inserted by the standing committee, as a safeguard to the Company's debtors. The act allows the proprietor of the property which was sold for debt to repossess himself of it within a year; it precludes the company from purchasing any lands at private sale, which may have been mortgaged to it. This showed the great caution of the standing committee in giving its consent to the bill. He could point out an act passed during last session, giving far more extensive powers to a monied Company, and in which these safeguards are not provided for the debtor. One very strong inducement, however, for him to bring forward this bill, was the security to the debtor that the bill contained. - Having given this analysis of the bill, he would not longer detain the committee, but move the adoption of the first clause.<sup>18</sup>

MR. MORIN had no doubt that the establishment of a Company of this kind would be of great benefit to the colony, and diminish the rapacity of usurers, and would with pleasure see it in operation in U. Canada, but as his countrymen are generally opposed to it, he would not wish to force it on them.<sup>19</sup>

MR. MOFFATT said that he thought there was an omission in the bill in not fixing the rate of interest the Company should demand. He would there-

fore insert a proviso that it should not demand more than the legal interest.<sup>20</sup>

MR. CHRISTIE saw that this bill would place every Corporation, every District Council, even the Government itself, in the power of the Company. If, however, it did pass, he was unwilling to allow a higher rate of interest than six percent. He looked upon the bill as conferring too extensive powers, and being, in fact, a very dangerous bill.<sup>21</sup>

MR. COLVILLE would call the attention of the hon. member for Gaspé to the good which resulted from lending money for the purpose of making roads and building bridges - the only means of repayment consisting in the tolls which were levied on them. (Hear, hear.) Individuals were allowed to lend money at six and eight per cent, and he really could not see any reason why this Company, because it was a Company, should be more dangerous or desperate than individuals.<sup>22</sup>

MR. JOHNSTON could not discover any reason for alarm. If the Government wished to borrow money, and advertised for that purpose - if they wished to borrow £100,000 at the lowest rate of interest, why should they not take the lender of this Company, which would perhaps do it at three and a half percent, when it was well known that the Banks would not lend it under six per cent, and thus make a saving of two and a half per cent to the Province?<sup>23</sup>

MR. MOFFATT said another Bill will be under discussion in a few days, for the improvement of the harbour of Montreal, and if an objection were taken that this association should not be allowed to lend money to the Government, which he supposed Mr. Christie meant, by saying the Government would be in its power, the harbour will not be able to derive any advantage from this association, as the money is to be borrowed under the sanction of the Government.<sup>24</sup>

MR. DRUMMOND was in favour of the principle of the bill, and of any means of introducing capital into the Province. What is chiefly wanted, in fact, he had almost said the only thing that is wanted to develop the resources of this fine colony, is capital. (Hear, hear.) He could see no evil that would follow from the establishment of the company. He believed that the objection which some hon. members had to it, was that they feared that landed proprietors would borrow so largely, that they would be ruined. On the contrary, he would wish that some means might be devised to save them from the flock of harpies who hover round to ruin the farmer, and to enable the poor honest man to borrow money at a reasonable rate of interest. He had a case in point the other day; a poor man had borrowed from a usurer, fifteen pounds, which in the space of six years accumulated to \$1800! To pay off his debt he was obliged to sell them the farms, and is now obliged to live on one of them as a tenant - (hear, hear.) He had no fear of such evil, if persons could borrow at a fair rate of interest. He believed that the farmers had sufficient talent and



discretion to improve their lands, if they had the means, without plunging themselves into ruin, and if those means were placed within their reach, they would be soon on a level with their American neighbours - (hear, hear.) And what he would ask was the reason that the neighbouring Union is in such a flourishing state? Was it not to be ascribed wholly to the liberal introduction of British capital? He hoped we would soon have it here. For this reason he was in favour of the Bill, but would suggest that the words: "it is desirable that the said Company should lend money to the Government," should be struck out, as he did not see that they were at all necessary, and never saw them in any charter of a monied company.<sup>25</sup>

MR. HALL might be mistaken, but he could not see any reason why the Government should not be allowed, to borrow money of this company at all, as well as from any other, if it went into the market.<sup>26</sup>

The objectionable words ... ((were)) struck out of the Bill.<sup>27</sup>

The Committee proceeded with the remainder.<sup>28</sup>

(358)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Boutillier, Brooks, Cameron, Chalmers, Colville, Daly, Dickson, Attorney General Draper, Dunlop, Foster, Gowan, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of GLENGARRY, Moffatt, Papineau, Riddell, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Watts, and Webster--(30.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Chabot, Chauveau, Desaunier, DeWitt, Jobin, Lacoste, LaFontaine, Laterrière, Leslie, Méthot, Morin, Nelson, Powell, Rousseau, Scott, Small, Smith of WENTWORTH, and Taché--(22.)

*So it was carried in the affirmative, and*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*The Honourable Mr. Small took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*



And the Honourable Mr. Small reported, that the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.

Regulation of  
Ferries, Upper  
Canada.

The Order of the Day for the second reading of the Bill for better enforcing the provisions of the Act of the Legislature of Upper Canada, for the regulation of Ferries, and for protecting the rights of the Lessees of Ferries, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cameron took the chair of the Committee,

MR. WOODS ((suggested the bill be amended)) by limiting the Ferry to a distance of a mile and a half on each side of the landing point.<sup>29</sup>

((This amendment was adopted.))<sup>30</sup>

(358)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cameron reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Reduction of  
Salaries.

The Order of the day for the House in Committee on the Bill to reduce, in accordance with the circumstances of the Province, certain Salaries not on the Civil List thereof, and to fund fees of office, allowing the Incumbents fixed salaries in lieu, being read,

The House accordingly resolved itself into the said Committee.

(359)

Mr. Hall took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Orders of the  
Day.

Mr. Taché moved, seconded by Mr. Boutillier, that the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

## YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cauchon, Chabot, Chauveau, Christie, Desainier, DeWitt, Jobin, LaFontaine, Laterrière, Macdonald of STORMONT, Méthot, Powell, Price, Small, Smith of FRONTENAC, Taché, and Thompson--(22.)

## NAYS.

Brooks, Colville, Dickson, Attorney General Draper, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of DUNDAS, M'Connell, Moffatt, Papineau, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Attorney General Smith, Stewart of BYTOWN, Watts, Webster, and Woods--(25.)

So it passed in the negative.

Highways and  
Bridges, Upper  
Canada.

The Order of the Day for the House in Committee to consider whether it is expedient to repeal and amend several Laws now in force relating to Highways and Bridges, in that part of this Province, heretofore called Lower Canada, and to substitute other provisions on the same subject, which may be more effectually carried into operation by means of local or municipal authorities, being read,

Ordered, That the said Order of the Day be discharged.

Pilots.

The Order of the Day for the second reading of the Bill to compel Pilots to qualify themselves for piloting vessels through all the channels of the River St. Lawrence, below Quebec, being read,

Mr. Laterrière moved, seconded by Mr. Lantier, that the said Bill be now read a second time.

Mr. Chauveau moved, in amendment, seconded by Mr. Bertrand, that the word "now," in the said motion be struck out, and the words, "this day six months," be substituted.

The question having been put upon the said motion a division ensued, and the names, being called for, they were taken down, as followeth:--

## YEAS.

Bertrand, Cauchon, Chabot, Chauveau, Christie, Desainier, DeWitt, Ermatinger, Greive, Jobin, Méthot, Moffatt, Robinson, and Taché--(14.)

NAYS.

Armstrong, Berthelot, Boutillier, Daly, Attorney General Draper, Dun-  
lop, Foster, LaFontaine, Lantier, Laterrière, Macdonald of CORNWALL, Mac-  
donell of DUNDAS, M'Connell, Powell, Roblin, Attorney General Smith, Thomp-  
son, and Watts--(18.)

*So it passed in the negative.*

*The question being then put on the main motion, it was agreed to by the House.*

*The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.*

Ordered, *That the remaining Orders of the Day be postponed until to-morrow, and do follow the Orders already fixed for the first Orders of that Day.*

*Then, on motion of Mr. Macdonell, of Dundas,*

*The House adjourned.*

APPENDIX, 13 MARCH 1845.

((WITHDRAWN NOTICE OF MOTION RE: CONSTRUCTION OF COURT HOUSE  
IN MONTREAL.))<sup>31</sup>

MR. DRUMMOND gave notice that he would ask the Administration if it were intended to devote a sum of money this session for the purpose of building a Court House in Montreal. He called the attention of the Executive to the state of the vaults in which the papers are kept. He had been asked to one place, and on going this morning found papers of the greatest importance to the district in a state of decomposition, and almost illegible in consequence of the moisture and the rain which flows into the vaults.<sup>32</sup>

MR. DALY replied, that a report of those circumstances had been made to the Government, and that immediate steps were to be taken to prevent the loss of the papers. Orders having been given to the Board of Works for that purpose.<sup>33</sup>

MR. DRUMMOND would not press his motion under those circumstances.<sup>34</sup>



FOOTNOTES - 13 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 18 March 1845, and BROCKVILLE RECORDER, 20 March 1845, copied from MONTREAL COURIER, in identical accounts. The 18 March issue of the MONTREAL GAZETTE is largely in shreds; half a column has been completely destroyed. Therefore the BROCKVILLE RECORDER, which acknowledges the MONTREAL COURIER as its source, is reproduced instead.
2. BROCKVILLE RECORDER, 20 March 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. The debate on this matter was reported by: PILOT, 15 March 1845; and ST. CATHARINES JOURNAL, 27 March 1845.
9. ST. CATHARINES JOURNAL, 27 March 1845.
10. IBID.
11. PILOT, 15 March 1845.
12. ST. CATHARINES JOURNAL, 27 March 1845.
13. PILOT, 15 March 1845.
14. IBID.
15. IBID.
16. The debate on this matter was reported by: PILOT, 15 March 1845; LA MINERVE, 17 March 1845; and MONTREAL GAZETTE, 18 March 1845, which is partly destroyed.
17. PILOT, 15 March 1845.
18. MONTREAL GAZETTE, 18 March 1845.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. ST. CATHARINES JOURNAL, 27 March 1845.
30. IBID.
31. The debate on this matter was reported by: MONTREAL GAZETTE, 18 March 1845, and ST. CATHARINES JOURNAL, 27 March 1845, in identical accounts.
32. ST. CATHARINES JOURNAL, 27 March 1845.
33. IBID.
34. IBID.

FRIDAY, 14 MARCH 1845.

(359)

Election, Third  
Riding York.

ACCORDING to Order, the Honourable Thomas Cushing Aylwin, Member for the city of Quebec, who was absent yesterday from the Select Committee appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue Election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, attended in his place in this House.

The Honourable Mr. Aylwin rose in his place, and stated his reasons for not being present at the meetings of the said Committee, and verified the same upon oath.

On motion of Mr. Macdonald, of Kingston, seconded by Mr. Seymour,

Resolved, That the Honourable Mr. Aylwin having stated his reasons for not being present at the meeting of the Select Committee, for the trial of the contested Election for the Third Riding of the county of York, and having verified the same upon oath, he be excused for non-attendance.

Mr. Taché, chairman of the Select Committee, appointed to try the merits of the Petition of Robert Harrison and others, electors of the Third Riding of York, complaining of the undue election and return of James Edward Small, Esquire, to represent the Third Riding of the county of York, presented to the House the final Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

LEGISLATIVE ASSEMBLY,

Committee Room, 14th March, 1845.

The Committee appointed to try the merits of the Petition of Robert Harrison and others, complaining of the undue election and return of the Honourable James Edward Small, Esquire, to represent the Third Riding of the county of York, have the honour to report their final decision thereon, as embodied in the following resolutions:--

1. Resolved, That James Edward Small, Esquire, the sitting Member, was not duly elected for the Third Riding of the county of York.
2. Resolved, That James Edward Small, Esquire, was not duly elected; that George Monro, Esquire, was duly elected, and ought to have been returned; and that neither the Petition nor the opposition to it, were frivolous or vexatious.

E. P. TACHE,  
Chairman.

*On motion of Mr. Macdonald, of Kingston, seconded by Mr. Macdonell, of Dundas,*

*Ordered, That the Clerk of the Crown in Chancery do attend this House forthwith, with the last Return for the Third Riding of the county of York, and do amend the name by rasing out the name of James Edward Small, Esquire, and inserting the name of George Monro, Esquire.<sup>1</sup>*

MR. MORIN asked whether this motion was strictly in order. He intended to vote against it and he would tell his reason. The report of the committee must be submitted to the house before taking this step, and he was opposed to its being received.<sup>2</sup>

MR. ((JOHN A.)) MACDONALD, Kingston, contended that this motion was strictly in order. According to the law the committee had the power of deciding who was elected, but it could not order the Clerk of the Crown to erase the name of any member; that could only be done by an order of the House.<sup>3</sup>

MR. AYLWIN said, the hon. member would do well to defer his motion on this most extraordinary case till all the proceedings of the committee were made public. (Oh, oh.) He knew and admitted that the decision of the committee was conclusive, but it would be found when all the proceedings are made ((public)) that they were of the most extraordinary nature.<sup>4</sup>

Hear, hear.<sup>5</sup>

((MR. AYLWIN asked:)) Who did him the favour of crying "hear."<sup>6</sup>

Three members, ((including MR. GEORGE MACDONELL,)) "I did."<sup>7</sup>

((MR. AYLWIN continued:)) Indeed, he was not surprised at two of those hon. members, saying "hear," nor in fact would he be at anything they might do, but he was surprised that one of those hon. members, and, to be frank, it was the hon. member from Dundas, should cry "hear," for he did not know that he had said anything which would surprise him. He would again recommend the hon. member from Kingston to defer his motion till Monday. He must confess he was prepared for the result of his contestation and therefore could not move the motion. If, however, he could postpone it till Monday, and it were perfectly correct, it would carry as well as it would today.<sup>8</sup>

MR. ((JOHN A.)) MACDONALD would gladly consent to the postponement if hon. member could show any good reason for doing so, or if he would rise in his place and tell the house that those were good grounds on which it should set the decision of the committee aside, he would at once yield. But unless some reason could be alleged for adopting such a course, it would be an act of injustice not merely to Mr. Munro, but to the constituency of this Third Riding of York, if the report of the committee were

not immediately concurred in.<sup>9</sup>

SOLICITOR-GENERAL ((HENRY)) SHERWOOD said that the Grenville Act under which this election was tried, provides that a certain number of members shall be chosen by ballot, and by striking off on either side, only eleven shall be left who shall try the election and whose decision shall be final - (hear.) Well that has been done, the law has in all respects been ... ((if the House)) contravene that decision, and prevent Mr. Munro from taking his seat; if so they set the law at defiance. At present nothing remains for the House to do, but to carry the decision into effect, no matter whether it be according to the feelings of hon. members or not.<sup>10</sup>

MR. AYLWIN was not understood in his observations. He was well aware that the decision of the committee is final, and if the hon member who brought forward the motion, persisted in it, he would withdraw all opposition.<sup>11</sup>

MR. ((ROLLAND)) MACDONALD, of Cornwall, could not consent to the withdrawal of the motion, as it would not only be an act of injustice to Mr. Munro, but also to his constituents, who are at this moment, unrepresented, which should not be for one moment. Besides, hon gentlemen should look to the precedent that they are establishing, which would have the most injurious effect hereafter.<sup>12</sup>

MR. BALDWIN said there was no need for establishing new precedents of which we have already a sufficiency; but when an hon. member urged the necessity of a delay on account of the character of the proceedings, and when Mr. Munro, is not within a week's travel at least, he could see no reason why the motion should be pressed on; it was neither fair or right to do so, when a doubt is suggested. He would therefore move that the consideration of this motion be postponed till Monday next.<sup>13</sup>

MR. HALL would ask what the hon. member intended to gain by posponing (sic) the consideration of the motion till Monday.<sup>14</sup>

MR. BALDWIN, To look into it.<sup>15</sup>

Well, ((continued MR. HALL,)) and after he had done so, what would follow? It might be ignorance on his part, but he had always understood that the decision given by the committee was final; if so, nothing could be gained by postponing the motion.<sup>16</sup>

MR. COLVILLE would oppose Mr. Baldwin's motion, for although it makes very little difference whether Mr. Munro's name was inserted to-day or Monday, as he is not in town; yet it would establish a most dangerous precedent to postpone it.<sup>17</sup>

MR. ((GEORGE)) MACDONELL, of Dundas, asked what was to prevent a tyrannical majority if this were established, from defeating justice by post-



poning the consideration of the report of the committee from day to day through the session.<sup>18</sup>

MR. AYLWIN withdrew his motion.<sup>19</sup>

The original motion was then carried.<sup>20</sup>

(359)

*The Clerk of the Crown in Chancery attended, according to order, and amended the said Return for the Third Riding of the county of York.*

*Mr. Meyers moved, seconded by Mr. Chalmers, that two hundred copies of the evidence taken, and resolutions passed by the Select Committee, appointed to try the contested election for the Third Riding of the county*

(360)

*of York, and of the final Report of the said Committee, be printed for the use of the Members of this House.*

MR. JOHNSTON would oppose the motion most rigidly. He did not want to know anything of the private affairs of the late member, and he hoped the House did not either.<sup>21</sup>

MR. LAFONTAINE expressed his surprise that the hon member for Northumberland should make this motion, the moment Mr. Aylwin was out of the House, when he understood that there was an agreement among the members of the Committee, that part of the evidence should be struck out.<sup>22</sup>

MR. MEYERS did not observe that the hon. member for Quebec had left the House, but if the hon. member were present he would make the motion, and for this reason, that the causes which had influenced the Committee to arrive at their conclusion, could not be known except the whole of the evidence was printed. It was to justify the vote of himself and his friends, and he hoped also to justify the vote of hon. members opposite that he now made this motion. What was the reason he was opposed by the hon. member for Terrebonne? Were hon. gentlemen opposite, ashamed of the vote they had given? If they were, he was not, and would insist on having the whole of the evidence printed; he objected to one part of it being made public, and withholding the remainder.<sup>23</sup>

MR. LAFONTAINE asked the hon member, if there were not an agreement that part of the evidence should be struck out? He asked the hon. member if that were not the fact? The request of the member from Quebec to postpone Mr. Macdonald's motion, was intended to enable the two nominees to strike out part of the evidence, as was agreed on, and by a manoeuvre, the moment the hon. member was gone out, Mr. Myers thought to carry his motion.<sup>24</sup>

MR. SCOTT was not surprised at the opposition given to having the whole

of the evidence printed. It was an attempt to throw opprobrium on the majority of the committee, while they were bound by their oath to do justice equally to both parties. (Hear, hear.) And if the hon. member for Northumberland wished to justify himself, how would it be possible for him to do so, except the whole of the evidence taken before the committee were printed? Let it all go to the public, and then the reasons which had induced the committee to come to this conclusion, would be known but not otherwise. (Hear, hear.)<sup>25</sup>

MR. ((JOHN A.)) MACDONALD, of Kingston, said it certainly was agreed in the committee that the two nominees should meet for the purpose of striking out evidence which was wholly irrelevant, and he was of opinion, that would be by law the better course, as that agreement had been come to by the committee, but it would not prevent the House from calling for the whole of it on Monday, he would therefore suggest that his hon. friend should withdraw his motion.<sup>26</sup>

MR. HALL hoped the hon gentleman would not withdraw the motion. He had heard, with a good deal of astonishment, the hon member for Terrebonne term it a manoeuvre. In his opinion, it looked much more like manoeuvring to keep part of the evidence back, as it was the wish of hon. members on the committee, to have the evidence published, he would support the motion.<sup>27</sup>

(360)

Mr. Duggan moved, seconded by Mr. Macdonald, of Cornwall, that the further consideration of the said motion be postponed until Monday next.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Aylwin, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Cauchon, Chabot, Chauveau, Christie, Cummings, DeBleury, Desaunier, DeWitt, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Hale, Jessup, Jobin, Lacoste, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of STORMONT, M'Connell, Méthot, Moffatt, Morin, Papineau, Powell, Price, Riddell, Robinson, Roblin, Rousseau, Scott, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Thompson, and Webster,--  
(50.)

NAYS.

Brooks, Chalmers, Colville, Gowan, Greive, Hall, Macdonald of GLENGARRY, Macdonell of DUNDAS, Meyers, Petrie, and Solicitor General Sherwood--(11.)

*It it was carried in the affirmative, and*

Ordered, accordingly.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Colville, the Petition of Daniel M'Gregor and others.

By Mr. Boulton, the Petition of the Church Society of the diocese of Toronto, (relating to King's College.)

By Mr. Drummond, the Petition of John Donegani, of the city of Montreal.

By Mr. Gowan, the Petition of George Crawford, Vice-President of the Agricultural Society of the district of Johnstown; and the Petition of John Miller and others, of the township of Edwardsburgh, in the district of Johnstown.

Duties of  
Customs.

An engrossed Bill for granting Provincial Duties of Customs, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Robinson do carry the said Bill to the Legislative Council, and desire their concurrence.

Printed Copies  
of Laws.

An engrossed Bill to provide for the distribution of the printed copies of the Laws, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Daly do carry the said Bill to the Legislative Council, and desire their concurrence.

Notaries.

An engrossed Bill to repeal part of a certain Ordinance therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners' Courts in Lower Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Colville do carry the said Bill to the Legislative Council, and desire their concurrence.

Taxes in  
Gloucester.

An engrossed Bill to authorize the assessment and collection of taxes in the township of Gloucester,



for the year 1844, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to authorize the assessment and collection of taxes in the township of Gloucester, for the year one thousand eight hundred and forty-four.

Ordered, That Mr. Stewart, of Bytown, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions  
read.

Pursuant to Order of the Day, the following  
Petitions were read:--

Of Smithson Waller and others, members of the United Church of England and Ireland, in the townships of Dereham and Norwich, in the district of Brock, praying for the repeal of the Common School Act, and the adoption of some system whereby religious education may be provided.

Of Murdoch M'Donell, and others, of the district of Bathurst, praying for a grant to complete a main road from Kingston to the Ottawa.

Of P. B. Dumoulin, Esquire, of Three Rivers, praying that the sum of ninety pounds may be paid to him for three year's rent of a building occupied by the Commissioners of the House of Correction in the said town.

Of François Boucher, Esquire, and others, the President and Trustees of the Common of Maskinongé, and others interested therein, of the parish of St. Joseph de Maskinongé, in the county of St. Maurice, praying for amendments to their Act of incorporation.

Of Julien Hion, Apprentice Pilot, for the River St. Lawrence, residing in the parish of l'Isle Verte, praying that the Board of Examiners may be allowed to admit him as a Pilot, although he may not be capable of reading and writing English, or may not possess a knowledge of arithmetic in that language.

Of D. Girard and others, Pilots for the River St. Lawrence, praying that the Bill introduced by the Member for Saguenay, to oblige Pilots to qualify themselves to pilot vessels through the North Channel of the said River St. Lawrence, and for other purposes, be not passed.

Petitions  
referred.

F. Boucher,  
Esquire, and  
others.

Resolved, That the Petition of François Boucher, Esquire, and others, the President and Trustees of the Common of Maskinongé, and others interested therein, of the parish of St. Joseph de Maskinongé, in the county of St. Maurice, be referred to a Select Committee, composed of Mr. Desaunier, Mr. Jobin, the Honourable Mr. Morin, Mr. Bertrand,

and Mr. Cauchon, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.



L. Tremblay  
and others.

*Ordered, That the Petition of Laurent Tremblay, and others, Pilots for the River St. Lawrence, in and below the harbour of Quebec, be referred to the Committee of the whole House, on the Bill to compel Pilots to qualify themselves for piloting vessels through all the channels of the River St. Lawrence, below Quebec.*

Report on the  
Petition of the  
Hon. Valières de  
St. Réal.

*The Honourable Mr. DeBleury, from the Select Committee, to which was referred the Petition of the Hon. Valières de St. Réal, Chief Justice of Montreal, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.*

*(For the said Report, see Appendix V. V.)*

MR. DEBLEURY gave notice of his intention to introduce a Bill founded on the same.<sup>28</sup>

(360)

Trade of Stevidore.

*The Honourable Mr. Aylwin, from the Select Committee, to which was referred the Petition of Thomas W. Lloyd and others, Merchants, Traders, and Citizens of Quebec, with power to report by Bill or otherwise, presented to the House a Bill to regulate*

(361)

*the trade of Stevidore, at the port of Quebec, which was received, and read for the first time, and ordered to be read a second time on Thursday next.*

*A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.*

MR. SPEAKER.

British Plan-  
tation vessels.

*The Legislative Council have passed the Bill, intituled, "An Act to secure the right of property in British Plantation Vessels navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of the reign of His late Majesty King William the Fourth, intituled, 'An Act for registering of British Vessels,' and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels," without any amendment.*

*And also,*

*The Legislative Council have passed the following Bills, with several*

amendments, to which they desire the concurrence of the Assembly:--

Toronto and  
Lake Huron  
Railroad Company.

"An Act to amend an Act, passed in the sixth year of the reign of His late Majesty, King William IV., intituled, "An Act to incorporate the City of Toronto and Lake Huron Railroad Company."

Richelieu  
Bridge.

"An Act to authorize John Yule, the younger, to build a toll-bridge over the river Richelieu, in the parish of St. Joseph de Chambly, to fix the rates of toll for passing thereon, and to provide regulations for the same."

And then he withdrew.

Report on the  
Petition of J.  
Perchard and  
others.

Mr. Christie, from the Select Committee to which was referred the Petition of James Perchard, Abraham Coffin, and others, of Gaspé Bay, engaged in the Whale, Cod, and other Fisheries, in the Gulf of St. Lawrence, presented to the House, the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee having read the Petition of James Perchard and others, of Gaspé, setting forth certain grievances they sustain, in relation to the business of Whaling, and the Fisheries they carry on in the Gulf of St. Lawrence, from persons in possession of the King's Posts, requested of the chairman, such information as from his local knowledge of Gaspé, and parts on the North shore of the River and Gulf of St. Lawrence, in the neighbourhood of the county he represents, he might possess, in reference to the matters complained of. But they were informed by him, that not being of his own knowledge aware of those matters, and that owing to the impossibility by reason of the great distance at which the Petitioners reside from the Seat of the Legislature, and of the winter season, of procuring the necessary information, he could only suggest the propriety of referring the whole subject to the consideration of the Government, which, if on inquiry, it should find the grievances to be founded in fact, would no doubt take the necessary measures for their redress.

Your Committee, therefore, recommend an humble Address to His Excellency, the Governor General on the subject, praying His Excellency's attention to the same, as represented by the Petitioners, and that He will graciously be pleased to afford such protection and assurance to the Petitioners for the free use and enjoyment of the Islands, Harbours, and Havens on the North shore of the River and Gulf of St. Lawrence, as in the lawful pursuit of their occupation of whalers and fishermen, they are entitled to, as British subjects.

On motion of Mr. Hale, seconded by Mr. M'Connell,

St. Lawrence  
and Atlantic  
Railroad Company.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the St. Lawrence and Atlantic Railroad Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read and are as followeth:--

Press 14, Line 42.--Leave out the words "by them or."

" 17, " 20.--After "said" leave out "Company of Proprietors" and insert "Board of Directors."

" 17, " 23.--After "said" leave out "Company of Proprietors" and insert "Board of Directors."

" 22, " 23.--After "at the" leave out "said."

" 22, " 28.--After "Bridge" insert "unless with the consent of the Proprietor thereof."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Hale do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Dickson, seconded by Mr. Webster,

Niagara Incorporation.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the town of Niagara, and to establish a Police therein," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 42.--After "limits," insert "and also an Act, passed in the fifty-seventh year of the reign of His late Majesty, King George the Third, intituled, 'An Act to establish a market in the Town of Niagara, in the Niagara District.'"

" 2, " 2.--Leave out "an," and insert "another."

Press 2, Line 2.--After "the," insert "said."

" 2, " 11.--After "Lady," insert "Queen."

" 2, " 30 and 31.--Leave out "for the uses of the said town," and insert "either for their own use, or in trust for other purposes, and for giving and receiving any Bills, Bonds, Covenants, Judgements, Statutes, Recognizances, or other instruments or securities, of what nature or kind soever, for the payment, or securing the payment, of any money borrowed, or lent, or for the performance of, or securing the performance of any other duty,

(362)

matter or thing whatsoever."

" 3, " 4.--After "street," insert "called King Street."

" 3, " 19.--After "Town," insert "of the full age of twenty-one years."

" 3, " 21.--After "of," insert "not less than."

" 3, " 23.--Leave out "not less than twenty-one," and insert "of."

" 3, " 28.--After "pounds," insert "or upwards."

" 3, " 39.--After "Majesty," insert "Her Heirs and Successors."

" 3, " 44.--After "on the," insert "last."

" 3, " 46.--After "contained," insert "Provided always that a portion of a house in which any inhabitant shall reside, as a householder, and not as a boarder, or lodger, and having a distinct communication with the street by an outer door, shall be considered a dwelling house within the meaning of this section of this Act."

" 4, " 16.--After "election," insert "by leaving at the usual place of abode of such person or persons a notice in writing to that effect."

" 5, " 28.--After "Province," insert "and have full power to revise, alter, amend, administer, and enforce the same."

" 7, " 24.--After "erected," insert "or that may hereafter be laid out or erected."

" 8, " 5.--Leave out from "stills" to "sale," in the 6th line, both inclusively.

" 8, " 20.--After "license," insert "(except Tavern licenses.)"



*Press 9, Line 12.--After "fit," insert "to regulate the management and provide for the security of the public property of the said town."*

*" 9, " 29.--Leave out "four," and insert "three."*

*" 9, " 47.--After "thereto," insert the following clause marked A:--*

*CLAUSE A.*

*"And be it enacted, that a majority of the said Board of Police shall be a Board for the despatch of business: Provided always that a smaller number may adjourn from time to time, and are hereby authorized to compel the attendance of absent members, in such manner, and under such penalties, as may be provided by any Act of said Board."*

*Press 15, Line 26.--Leave out, "seventy," and insert "twenty."*

*" 18, " 34.--After "District," insert the following clause marked B:--*

*CLAUSE B.*

*"And be it enacted, that notwithstanding the privileges that may be conferred by this Act, the Legislature may at any time hereafter in their discretion make such additions to this Act, or such alteration of any of its provisions as they may think proper."*

*And the said amendments being again read, they were agreed to by the House.*

*Ordered, That Mr. Dickson do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.*

*On motion of Mr. Dickson, seconded by Mr. Webster,*

*Niagara and  
Ten Mile Creek  
Plank Road  
Company.*

*Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate certain persons as 'the Niagara and Ten Mile Creek Plank Road Company,' for the purpose of constructing a Plank Road from a certain place in Niagara, to the Ten Mile Creek, in Grantham," be now taken into consideration.*

*The House proceeded accordingly to take the said amendments into consideration.*

*And the said amendments were read, and are as followeth:--*

Press 2, Line 14.--After "Niagara," insert "any thing herein contained to the contrary thereof in any wise notwithstanding."

" 2, " 33.--Leave out all the words after "same," to the word "company," inclusively, in the eleventh line of the third press, and insert the following clauses, marked A, B, C, and D.

CLAUSE A.

"And to be enacted, that if, after eight days notice in writing given to the party so disagreeing as to the value aforesaid, such party shall not nominate or appoint an arbitrator or arbitrators, as aforesaid on his part, then and in such case the Judge of the District Court of the said district of Niagara, shall and may nominate and appoint one or more arbitrators or arbitrators on their behalf, with the same powers and authority, as if appointed by the party or parties so refusing or neglecting to appoint an arbitrator or arbitrators in his or their behalf, and shall meet and ballot for the additional arbitrator, or umpire."

CLAUSE B.

"And be it enacted, that the arbitrators so appointed, shall fix a convenient day for hearing the respective parties, and shall give eight days notice at least, of the day and place, and having heard the parties, or otherwise examined into the merits of the matters so brought before them, the said arbitrators, or a majority of them, shall make their award or arbitrament thereupon in writing, which award or arbitrament shall be final as to the value so in dispute as aforesaid."

(363)

CLAUSE C.

"And be it enacted, that if the part so disagreeing, refuse to accept the value of land or damage so ascertained by the arbitrators, as aforesaid, till the end of the second term in Her Majesty's Court of Queen's Bench, in that part of this Province formerly Upper Canada, next after making of the award and tender of the value thereby ascertained, then and in such case the Directors for the time being shall be at liberty, and shall have full power to occupy the piece of land so valued by the said arbitrators in the same manner as other portions of the said road."

CLAUSE D.

"And be it enacted, that in any action of ejectment, or other action, real, personal, or mixed, for, or on account of such occupation

by the said Company, their servants or agents, or other person or persons using the said road, the said award shall, and may be pleaded in bar of such action at any time after the said two terms in the said Court of Queen's Bench, notwithstanding any defect in form or substance in the said award: Provided always, that it shall, and may be lawful to and for the party or parties interested in the land mentioned in the award, or their agent, by counsel at any time within the two terms as aforesaid, after the same hath been made, and the amount of the value awarded, tendered, to move the said Court of Queen's Bench, to set aside such award for corruption or any other matter or thing, for which awards are now subject to be impugned by law: Provided also, that if the first award be so set aside by the Court of Queen's Bench, the matter in difference may again be submitted to other arbitrators, and so on till a satisfactory award be made between the parties."

Press 4, Line 21.--After the word "Houses," insert "Toll-Gates."

" 4, " 25.--Leave out "other."

" 5, " 2.--Leave out "of the."

" 5, " 24.--After "person," insert "or going to, or returning from Divine Service on the Lord's Day."

" 7, " 33.--After "election," insert "or until such time thereafter as other Directors are appointed."

" 7, " 35 and 36.--Leave out "not exceed," and insert "be."

" 7, " 38.--After "stock," insert "shall be composed of nine hundred and sixty shares of the value of six pounds, five shillings Currency each, and"

" 7, " 39.--Leave out "transferred," and insert "transferable."

" 8, " 11.--After "paid in," insert the following clause marked E.

#### CLAUSE E.

"And be it enacted, that of the persons as aforesaid, nominated and balloted for in manner aforesaid, those seven shall be deemed elected who shall have the greater number of votes, according to the shares held by the voters respectively, as herein before prescribed at each and every such election of Directors, and that at every such election in every year, as aforesaid; after the ballot shall have been kept open from eleven of the clock in the forenoon, to two of the clock in the afternoon, the seven persons having the majority of votes in manner aforesaid, shall, so soon after, as

convenient, on the same day, be declared the Directors chosen for the ensuing year, by any two or more Scrutineers, who shall have been previously nominated by the stockholders, for the purpose of nomination, and report of such ballot: Provided, nevertheless, that the Stockholders present at the place of ballot shall, in the nomination of Scrutineers, vote per capita, and not by shares."

Press 8, Line 33.--After "request," insert the following clauses marked F, G, H, and I.

CLAUSE F.

"And be it enacted, that whenever the said tolls shall, in the annual receipts, exceed in amount a sum sufficient to defray the expenses of maintaining and repairing the said road, and to afford an annual income to the said Company of ten per cent profit on the capital actually expended in the construction of the said road, from the commencement of its being travelled as aforesaid; then, and in such case, the increasing surplus revenue of the said tolls shall be charged against the said Company, as so much received by them in the nature of a sinking fund, by means whereof to purchase from the said Company the entire estate, use and property of the said road, to, and for the use of the public, in such manner and form as the Legislature of this Province, may by Legislative enactment hereafter provide."

CLAUSE G.

"And be it enacted, that the Legislature of this Province, may at any time whatever, purchase the entire estate, property and use of the said road from the said Company, paying to the said Company the Capital so as aforesaid actually expended, together with fifteen per cent advance thereupon, to the credit of which payment, all revenue exceeding ten per cent upon the bona fide expenditure, and over and above the expense of maintaining and repairing the said road, shall be charged and taken, and it is also hereby provided and declared, that if any deficiencies of the said ten per cent annual profit should occur at any time, such deficiencies

(364)

shall also be chargeable against the increasing revenue of the subsequent years, so that the Company may fairly and actually receive ten per cent profit on their said bona fide expenditure for the whole time they shall enjoy the estate, rights, and privileges, acquired under the authority of this Act, any thing herein contained to the contrary thereof, in any wise notwithstanding."



## CLAUSE H.

"And be it enacted, that it shall be the duty of the said Corporation, and of the person entrusted with the chief gestion of its affairs, to lay annually before the three branches of the Legislature of this Province, in the course of the first fifteen days after the opening of the Session, a general statement, upon the oath of the President or Vice President of the said Company, before any Justice of Peace, of the affairs of the said Company, showing as well the amount of its liabilities, as the assets or means of meeting the same, and such President or Vice President being charged before any competent Court, of false swearing in the matter of such statement, shall be tried, and if found guilty, be punished in like manner, as if he had been charged and convicted of the crime of wilful and corrupt perjury."

## CLAUSE I.

"And be it enacted, that notwithstanding the privileges that may be be conferred by this Act, the Legislature may at any time hereafter, in their discretion, make such addition to this Act, or such alteration of any of its provisions as they may think proper, for affording just protection to the public, or to any person or persons, body corporate or politic, in respect to their estate, property, or rights, or any interest therein, or any advantage, privilege, or convenience connected therewith, or in respect to any way, or right of way, public or private, that may be affected by any of the powers given to this Corporation."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Dickson do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of Mr. Sherwood, of Brockville, seconded by Mr. Jessup,

Assessment  
Laws, Upper  
Canada,  
(Brockville).

Resolved, That this House do now resolve itself into a Committee of the whole House, to take into consideration the propriety of amending the Assessment Laws of that part of the Province called Upper Canada, in so far as they relate to the town of Brockville; and also so much of the Act of Upper Canada aforesaid, 2 William IV. chapter 17, as relates to the collection of the rates and assessments in the said town.

*The House accordingly resolved itself into the said Committee.*

*Mr. Dickson took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Dickson reported that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received on Monday next.*

*Agricultural Societies, Upper Canada.*

*Ordered, That the Order of the Day for the second reading of the Bill for the encouragement of Agricultural Societies and Agriculture in Upper Canada, be postponed until Monday next, and that it be then the third Order of the Day.*

According to notice,<sup>29</sup> MR. CAMERON moved for an Address to His Excellency on the information sought for by an Address in December last, emanating from the Committee on Finance; also, for a similar Address, on the information sought for by an Address of the 3d December last, on appointments to office.<sup>30</sup>

We understood the Attorney General ((MR. JAMES)) SMITH to say that the information would shortly be laid before Parliament, and that therefore there was no necessity for the Addresses.<sup>31</sup>

MR. CAMERON said that on this understanding, he would not press the motions. The matters sought for were of very considerable importance to the country and the House. By the latter it was desired to know by whose authority certain large sums had been paid to officers whose appointments had not been sanctioned by that House, such as the Adjutant General and Commissioner of the Revenue.<sup>32</sup>

(364)

*On motion of Mr. Cameron, seconded by Mr. Drummond,*

*W. M. Kelly.*

*Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to lay before this House, all the reports or letters made or written by the late Commissioner of the Revenue on the case and conduct of William Moore Kelly, late Collector of Customs; together with any statements, evidence, or facts, set forth by the said Mr. Kelly; and any replications, reports, or evidence by the Commissioner; and any reports made by the late Inspector General, the Deputy Inspector General, or the Executive Council, up to this date, upon this case.*

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Colville, seconded by Mr. Macdonell, of Stormont,

Claims of the  
inhabitants of  
Mille Roches.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause an enquiry to be made into the claims of the inhabitants of the village of Mille Roches, in the township of Cornwall, Eastern district; and that copies of the Petitions of George Robinson and others, of the said village of Mille Roches; Robert Froste, of the city of Montreal, and Jacob Brown and others, of the township of Osnabruck, accompanying the said Address.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Cobourg In-  
corporation.

Ordered, That Mr. Meyers have leave to bring in a bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Public Im-  
provement.

Ordered, That the Honourable Mr. Robinson have leave to bring in a Bill to correct and amend an Act, passed in the 4 and 5 Victoria, chapter 28, intituled, "An Act to appropriate certain Sums of Money for Public Improvements in this Province, and for other purposes therein mentioned."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Montreal In-  
corporation.

Ordered, That the Honourable Mr. DeBleury have leave to bring in a Bill to amend and consolidate the provisions of the "Ordinance to incorporate the city and town of Montreal," and of certain Ordinance, amending that Ordinance; and to vest certain other powers in the Corporation created by the said first mentioned Ordinance.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.



On motion of Mr. Drummond, seconded by Mr. Cameron,

Custom House Bonds.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to cause to be laid before this House, a Return of the Custom House Bonds, received at the port of Montreal, during the years 1842, 1843, and 1844; how many of such Bonds have been paid, how many remain unpaid; upon how many judgments (sic) have been obtained, and what proceedings have been taken to enforce such judgments (sic).

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

The Honourable Mr. Robinson, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

METCALFE.

Revenue and Expenditure.

The Governor General transmits to the House of Assembly, a Statement of the probable Revenue and Expenditure of the Province, during the year 1845; together with an estimate of the sums required for the service of the same year; and in conformity with the provisions of the 57th clause of the Union Act, he recommends these estimates to the House of Assembly.

GOVERNMENT HOUSE,  
Montreal, 14th March, 1845.

(For the said Estimate, see Appendix Q.Q.)

On motion of Mr. Drummond, seconded by Mr. DeBleury,

J. Donegani, Esquire, to be heard by Counsel.

Resolved, That it is expedient to allow John Donegani, of the city of Montreal, Esquire, to be heard by Counsel, at the Bar of this House, against the provisions of the Bill now before the consideration of the House, intituled "An Act to quiet the title to lands of persons naturalized under the Statute of Lower Canada, of the 1st William IV., chapter 53; and for other purposes therein mentioned," and that for that purpose the Order of the Day for the second reading of the said Bill be postponed until Wednesday next, and that it be then the first Order of the Day.



MR. HALL<sup>33</sup> moved that when the House adjourn, it meet tomorrow at three o'clock.<sup>34</sup>

MR. LAFONTAINE, who had given notice of his intention to move that no new bill be brought in during the present Session<sup>35</sup>, requested to know the views of the ministry, he would be guided by them. He would like to know also, when it might be expected that the House will adjourn.<sup>36</sup>

ATT. GEN. ((JAMES)) SMITH)) stated in reply that every exertion was being made to bring the session to a close; and he had no doubt that his Excellency will prorogue it about the end of the month.<sup>37</sup> As to the motion, he was anxious to have Saturday reserved for the transaction of departmental business which is generally left over during the week, but would meet the House at ten o'clock next week, if hon. members chose.<sup>38</sup>

MR. HALL on that understanding, withdrew his motion.<sup>39</sup>

(365)

*Mr. Laurin moved, seconded by Mr. Cauchon, that when this House doth adjourn, it will adjourn until Monday next, at ten o'clock in the forenoon.*

MR. LAURIN ... ((wanted)) two sittings to be held in the day, and Government measures only to come on in the evening.<sup>40</sup>

(365)

*The Honourable Mr. DeBleury moved, in amendment, seconded by Mr. Stewart of Bytown,*

*That the word "Monday," in the said motion be struck out, and the word "Wednesday," substituted.*

*The question having been put on the said motion, a division ensued, and it was passed in the negative.*

*The question being then put on the main motion, it was agreed to by the House, and*

*Ordered, accordingly.*<sup>41</sup>

Island of  
Orleans.

*Mr. Lantier, from the Committee of the whole House, on the Bill to detach the island of Orleans from the county of Montmorenci, for the purposes of Registration of Titles, and to establish a Registry Office in the said island, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.*

Ordered, That the said Bill, as amended, be engrossed.

Driving fast  
over bridges.

Mr. Seymour, from the Committee of the whole House, on the Bill to prevent persons riding or driving at a fast rate over certain Bridges erected across the Grand River, in Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Arrears of Taxes,  
Johnstown District.

Mr. Stewart, of Bytown, from the Committee of the whole House, on the Bill to provide for the collection of Arrears of Taxes in the district of Johnstown, and for other purposes, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Regulation of  
Ferries, Upper  
Canada.

Mr. Cameron, from the Committee of the whole House, on the Bill for enforcing the provisions of the Act of the Legislature of Upper Canada, for the Regulation of Ferries, and for protecting the Rights of the Lessees of Ferries, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

North American  
Colonial Asso-  
ciation.

The Order of the day for the House in Committee on the Bill to give further powers to the North American Colonial Association of Ireland, being read,

The House accordingly resolved itself into the said Committee.

Mr. Jessup took the chair of the Committee,<sup>42</sup>

M. LAFONTAINE ((déclara que)) ... le principe d'introduire des capitaux était bon en soi; il s'attaquait aux détails, où se trouve en effet le mal, et en dénonça plusieurs; il signala en particulier le danger qu'il y aurait de porter la perturbation dans les lois civiles du Bas-Canada en passant les 13, 14 et 15me.; il pria M. le procureur-général du Bas-Canada de faire attention qu'on courait le risque de dépouiller par cette inique loi les possesseurs de biens-fonds; que ce serait dépouiller le défendeur sur qui sa terre serait vendue à la poursuite de la compagnie que de permettre que les produits de la vente fussent distribués avant qu'il n'eut été définitivement légalement privé de son bien. Il n'y a pas jusqu'aux

seigneurs qui ne soient dépouillés de la faculté d'exiger les droits de quint et lods et ventes sur les mutations opérées par ces ventes de sherriff pendant au moins une année, sous le prétexte d'accorder un privilège de rachat de la compagnie à ceux que sa rapacité aura ainsi dépossédés, privilège parfaitement illusoire et dérisoire, car elle aura eu le soin de ruiner d'avance ses pauvres victimes, de manière qu'elles ne seront en état de lui rembourser ni le sort principal de la vente ni les frais énormes que la bienveillante compagnie a le soin de leur imposer sine qua non du rachat.<sup>43</sup>

M. ((JAMES)) SMITH s'est ... intéressé au sort de la mesure.<sup>44</sup>

M. AYLWIN dénonça le projet ... comme étant une tentative faite par M. Colville pour favoriser certaines gens dont les intérêts sont plus transatlantiques que canadiens. Que le comté de Beauharnais devra apprécier les efforts de son représentant putatif comme ils le méritent. Que cette tentative avait évidemment pour but de changer les lois civiles du pays pour les faire servir aux vues et intérêts particuliers de l'association en question, qui n'était qu'un pacte de spéculateurs rapaces. On n'était malheureusement, chez certaine classe en ce pays, que trop enclin à favoriser les intérêts de spéculateurs étrangers; il disait étrangers, car ils saignaient le pays et en attiraient la circulation monétaire (sic) au dehors, sous le prétexte de lui fournir des capitaux. Qu'ils feront en grand ce que de certains individus font en petit: ils ouvriront de larges crédits au cultivateur, le cribleront de dettes, et lui feront vendre sa terre, qu'ils achèteront pour la lui revendre (sic) s'il est capable de la racheter à leurs taux. Des milliers de piastres ont déjà été réalisés de cette manière (sic) dans le pays. Que sera-ce donc lorsqu'on sera soumis à l'action d'une vaste organisation de grands capitalistes transatlantiques? Non seulement le mal dont on a eu à se plaindre jusqu'à présent était minime sous le rapport des chiffres, comparativement à ce qu'il sera sous l'opération du projet épousé complaisamment par MM. Viger et Cie.; mais au moins il s'exerçait au sein du pays et les profits, si mal acquis qu'ils fussent, n'en diminuaient pas la circulation sensiblement, car le commerce donnait quelque chose en retour. D'après la mesure en question le centre d'action se trouvera placé en dehors même du pays, pour lequel il sera une éponge insatiable et comme le tonneau des Danaïdes. Défions-nous d'un mal qui sera notre ruine si nous nous aveuglons. Il n'y a peut-être jamais eu de projet plus diabolique de braqué sur la forteresse ennemie contre nous; il est d'autant plus à redouter qu'il se présente sous le masque d'une perfide libéralité, celle de nous prêter de l'argent tant que nous en voudrons. M. Aylwin aborda aussi la question constitutionnelle impliquée dans le projet, et dit que c'était contraire à tous les principes reçus que d'essayer de changer les lois d'un pays pour les adopter aux vœux particuliers d'individus quelconques. Que c'était bien plutôt à eux à se conformer à ces lois, s'il voulaient faire des affaires dans le pays. Faisant ensuite appel à la majorité haut-canadienne ... il dit qu'il fut un temps où l'on désignait sous le nom de Canadiens les Franco-Canadiens seulement, mais



il est fier de voir qu'on en est venu depuis à reconnaître que ce titre n'est pas un opprobre, puisqu'on voit maintenant des membre du Haut-Canada se glorifier d'être Canadiens. Eh bien! en ce cas, il allait encore une fois les mettre à l'épreuve, et leur demander instamment de s'interposer pour protéger les droits et les intérêts canadiens, les droits et les intérêts du pays contre une bande de rapaces spéculateurs et de larrons étrangers. Il signala aussi ... l'absurdité de s'appuyer sur ce qu'il convenait d'établir un courant de capitaux extérieurs vers la province, démontrant que le reflux ne manquerait pas de la laisser à sec. En effet, ces capitaux ne s'obtiendront pas sans que l'argent du pays n'en paie d'abord l'intérêt, et à envisager les choses même avec le moins d'exagération, il doit apparaître à quiconque à la moindre idée de science financière qu'éventuellement chaque £100 de capital prêté retournera aux Trois-Royaumes grossi de £15, de £30, de £60, et peut-être de plus encore. Avec un pareil système on ne peut avoir que la banqueroute en perspective. Lorsqu'elle se déclarera, ou (sic) feindra ici d'en être surpris pendant qu'on s'en moquera au dehors; mais ceux qui prêtent la main à la mesure n'auront pas droit de s'en plaindre (sic), car ils auront recueilli le fruit de leur oeuvre. Il se rappelait qu'un bill analogue avait été introduit dans la session dernière, mais qu'alors on n'avait pas trouvé une administration ni une majorité qui fussent capables de se prêter à une pareille injustice, à un projet aussi funeste aux intérêts canadiens.<sup>45</sup>

M. COLVILLE ... ((dit)) n'avoir aucun intérêt personnel dans la question.<sup>46</sup>

M. AYLWIN lui fit remarquer qu'il savait très bien d'avance que ses observations ne seraient pas de son goût, et que quant à n'avoir pas d'intérêt dans l'affaire, c'était de sa faute à lui M. Colville si on lui en supposait, puisqu'il avait parlé de manière à s'identifier avec la compagnie, s'étant toujours servi du mot nous en parlant. Il termina en disant que ceux qui avaient quelques jours auparavant désapprouvé le bill d'appropriation de biens dans le Haut-Canada, allaient, il le savait bien, voter en faveur de la mesure actuelle, quoiqu'ils fussent si opposés au bill en question et qui, après tout, n'était ni aussi injuste ni aussi spoliateur, il s'en fallait de beaucoup, que la mesure du membre pour Beauharnois.<sup>47</sup>

(( MR. HALL replied to some of Aylwin's remarks.))<sup>48</sup>

M. MOFFATT offrit ensuite quelques explications, sur son bill.<sup>49</sup> ((He)) showed that so far from the clause ... proposed to be introduced into the bill, by which the power of redeeming lands sold at Sheriff's sale by the Company as mortgage is given to the parties in whose hands the lands may have been seized ... so far from ... being a hardship on mortgagers ... was intended for their benefit.<sup>50</sup>

On a division, the clause was carried.<sup>51</sup>



M. MOFFATT ((proposa le grossolement du bill.))

(365)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Jessup reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by the Honourable Mr. Aylwin,

Middlesex con-  
tested Election.

Resolved, That the Select Committee, appointed to try the Petition of William Notman, of Dundas, in the Gore district, complaining of the undue election and return of Edward Ermatinger, Esquire, to represent the county of Middlesex, in this present Parliament, have leave to adjourn until the first Monday in May next.

(366)

Board of Works.

The Order of the Day for the second reading of the Bill to amend the Act passed in the fourth and fifth years of Her present Majesty, intituled, "An Act to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province," being read,<sup>53</sup>

The Attorney General ((MR. JAMES SMITH)) moved that it be referred to a committee of the whole house on Tuesday next.<sup>54</sup>

M. THOMPSON s'opposa à la clause qui donne pouvoir au gouvernement de nommer les arbitres qui devront régler les réclamations faites contre le bureau.<sup>55</sup>

M. AYLWIN approuva cette objection.<sup>56</sup>

DR. DUNLOP took to himself the credit of having bullied the government into this bill.<sup>57</sup>

Order, ((said the Speaker SIR ALLAN MACNAB)).<sup>58</sup>

((DR. DUNLOP resumed:)) What was the matter that he was called to order.<sup>59</sup>

The Speaker ((SIR ALLAN MACNAB)) - The hon. gentleman made use of an unparliamentary expression.<sup>60</sup>

DR. DUNLOP continued. - It was merely figurative; he never bullied, that was well known - he would much rather fight. If any one would lend him a handsome word.<sup>61</sup>

'Induced,' ((said an hon. member)).<sup>62</sup>

((DR. DUNLOP resumed:)) Aye, he had induced the ministyy (sic) to bring in this bill. He had supported ministers, and would support them, because he looked upon them as being a lesser evil, but he gave fair warning that he will ask his Excellency to appoint him as one of the commissioners.<sup>63</sup>

The Chairman, ((said an hon. member.))<sup>64</sup>

((DR. DUNLOP resumed:)) No. He would not ask that, for his Excellency was no doubt a gentleman of great discrimination. But he was as he said going to request an appointment as one of the commissioners, as he was anxious to find out if the government were sincere in their professions, and then the Lord have mercy on any he caught tripping. (Hear.)<sup>65</sup>

M. AYLWIN proposa le remise du bill à lundi, disant qu'il venait d'en recevoir pour la première fois une copie encore toute humide de l'imprimerie.<sup>66</sup>

Cette assertion fut corroborée par MM. ARMSTRONG, CHAUVEAU et CAUCHON.<sup>67</sup>

M. LE PROCUREUR-GENERAL ((JAMES)) SMITH s'opposa à plusieurs reprises.<sup>68</sup>

La motion d'amendement ... fut cependant agréée sans division.<sup>69</sup>

(366)

*Ordered, That the said Bill be read a second time, on Monday next, and that it be then the first Order of the Day.*

Montreal  
Harbour.

*The Order of the Day for the second reading of the Bill to provide for the improvement and enlargement of the Harbour of Montreal; to authorize the Commissioners to borrow a further sum of money for that purpose; to consolidate the Laws now in force relating to the same; and for other purposes therein mentioned, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House, on Tuesday next.*

Elementary  
Instruction,  
Lower Canada.

*The Order of the Day for the House in Committee on the Bill to make better provision for Elementary Instruction in Lower Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Hale took the chair of the Committee,*<sup>70</sup>

M. LAURIN ((dit:)) M. l'orateur, J'approuve le principe du bill maintenant sous considération, mais je désapprouve ce bill dans ses détails, surtout par rapport au système odieux de taxation qu'il comporte. Lors de la discussion du bill des sleighs, j'ai déclaré dans cette chambre que je voterais contre tout bill et toute mesure qui me paraîtraient vexatoires. Cette mesure, M. l'orateur, me paraît bien plus vexatoire dans ses détails que le bill des sleighs. Quelle impression fera cette mesure chez l'étranger? En effet, ce bill, au lieu de démentir et désapprouver les assertions fausses qu'on a fait circuler contre les Canadiens au delà de l'Atlantique, vient pour ainsi dire les justifier. On a dit que les Canadiens sont des ignorants, qu'ils n'aiment pas l'éducation, et ce bill, en imposant une taxe pour forcer les habitants de ce pays à faire instruire leurs enfants, ne vient-il pas à l'appui de ces alléguées mensonges? Je suis l'ami de l'éducation, et je désire que l'éducation soit répandue parmi mes compatriotes; mais je crois qu'en adoptant le mode qu'on nous propose, c'est créer des dissensions parmi les habitants de ce pays, c'est créer des bureaux feront encourir des dépenses qui retomberont sur les habitants. Au lieu de fixer les taxes d'après la valeur des propriétés, ce qui paraîtrait moins injuste, on fixe une taxe sur chaque cheminée que possède une maison et sur chaque arpent que contient une terre, sans considération de la valeur de la chose taxée.

Les Irlandais opprimés par les taxes et obligés en conséquence de laisser l'Irlande, leur patrie, nous fournissent un exemple frappant des malheurs que peuvent causer les taxes. Ils sont venus chercher, loin de l'Irlande où ils gémissaient sous l'oppression, une terre de liberté, et voilà qu'après avoir joui en Canada de cette liberté pendant quelque temps, ils sont menacés des mêmes malheurs qui les ont forcés à s'expatrier.

En adoptant un tel système de taxation, nous commençons par donner à nos ennemis, aux vautours de l'aristocratie bretonne, des moyens d'oppression contre nos compatriotes, et nous leur fournissons des armes contre le peuple canadien. Les taxes ont toujours fait le malheur des peuples. Je considère le système de taxation qu'on nous propose comme le prélude des maux qui finiront par opprimer mes compatriotes. La génération naissante est généralement instruite, et il n'est pas besoin de taxer pour que la jeunesse reçoive l'éducation. Je proteste donc, au nom des Canadiens, des Irlandais et autres habitants du comté de Lotbinière que j'ai l'honneur de représenter dans cette Chambre, contre le système de taxation proposé, et je proteste en outre, en ma qualité de Conseiller de la Cité de Québec, contre le projet d'obliger la corporation de Québec à payer pour l'éducation une certaine somme d'argent, par la raison que cette corporation étant endettée, elle ne pourra pas faire face à cette somme sans imposer de nouvelles taxes sur les citoyens, et mes électeurs du quartier St. Roch se trouveront en conséquence forcés à payer une augmentation de taxes. J'ai un devoir pénible à remplir dans cette circonstance; mais je



ne déserterais pas mon siège, et quand je devrais voter seul contre les détails de ce bill, je le ferai, et je voterai suivant ma conscience et ma conviction, tout en pensant remplir fidèlement le mandat dont je suis chargé.<sup>71</sup>

M. CHAUVEAU est surpris que l'on s'oppose au bill sur le principe qu'on ne doit pas forcer le peuple à s'instruire en le taxant. Il est bien lui-même opposé à quelques détails, mais il approuve tout-à-fait la taxation qui a pour but si louable d'apporter le bienfait de l'instruction au peuple. Le bill a été référé à un comité spécial et a subi de notables amendemens; il prend plaisir à reconnaître que l'Administration a permis qu'on taillât dans son bill comme on le désirait. L'instruction est le seul moyen qui reste à la population française pour se maintenir contre l'intrigue. Qu'elle serait indigne d'être défendue si elle pouvait repousser le pain de l'intelligence qu'on lui offre, dût-elle le payer. Il fit allusion à cette foule de jeunes Canadiens qui au sortir de nos collèges, où ils auront reçu la haute éducation, se trouveront tout à coup lancés dans la société et il demanda au gouvernement ce qu'il en ferait? Car ils n'avaient pas besoin de s'y adresser; tous les jeunes Canadiens qui frappent à cette porte la trouvent fermée. La même exclusion les empêche de porter leurs regards vers les maisons de commerce anglaises. Tout est fermé pour eux. Qu'en fera donc le gouvernement? Et il faisait cette demande encore plus dans l'intérêt du gouvernement que dans celui du peuple. On devait se préoccuper un peu de la pensée de cette jeunesse débordant de nos collèges et se trouvant sans espoir. Que le gouvernement prie donc le ciel que ces jeunes gens ne se rappellent pas un de ces jours qu'ils sont les cousins-germains de ces élèves de l'école polytechnique (sic) qui, à Paris en 1830, ont su renverser leurs tyrans.<sup>72</sup>

Le DR. DUNLOP déclara qu'il ne se mêlerait pas de la mesure, attendu qu'elle ne regardait que le Bas-Canada.<sup>73</sup>

M. CHABOT était on ne peut plus étonné qu'il se trouvât un représentant du Bas-Canada qui put offrir de l'opposition au bill tel qu'amendé sous le spécieux prétexte qu'on imposait une taxe, et fit ... ressortir l'incongruité d'appeler taxe, ce qui n'était qu'une simple contribution; qu'on ne devait appeler taxe, que ce qui était imposé en vue d'augmenter les revenus publics, ou de pourvoir aux besoins du gouvernement; mais que ce qui était imposé pour l'avantage même des citoyens, et leur rapportait l'équivalent de ce qu'ils donnaient, ne pouvait pas être une taxe, dans l'acception vulgaire du mot, mais qu'on appelait cela une contribution, et une contribution faite dans le meilleur but, l'émancipation intellectuelle et le progrès moral du peuple. D'ailleurs c'était en vain qu'on s'appuyait sur le mot pour effrayer les esprits. Les Canadiens-français avaient déjà prouvé qu'ils étaient en général disposés à s'imposer tous les sacrifices possibles pour faire réussir la cause de l'éducation. Ils ont même approuvé d'une manière très significative le principe de se taxer pour s'instruire, car ce principe, la grande base de la mesure actuelle, est emprunté à celle de l'ex-ministère dont la conduite est approuvée par



la grande majorité du Bas-Canada; et non-seulement le propre auteur de la première (M. Morin) a été réélu, et par deux comtés, non-seulement tous les ex-ministres du Bas-Canada ont été réélus, mais ils l'ont été en dépit des intrigues de meneurs partisans zélés de l'Administration actuelle, et malgré qu'ils eussent accusés les ex-ministres d'avoir voulu imposer cette taxe au peuple pour s'instruire! M. Chabot cita en particulier l'élection d'un comté, où l'on s'était efforcé de préjuger le peuple contre le candidat ex-ministériel et où cependant le candidat opposé n'eut que 3 voix. Il était fier de pouvoir dire qu'il n'y avait pas eu de pétition d'un seul Canadien-français contre la taxe de la mesure et que les 2 ou 3 pétitions qui avaient été adressées à la chambre contre cela venaient exclusivement d'habitans d'origines britanniques. Il reconnaissait pourtant volontiers que certaines particularités du bill étaient encore susceptibles d'amendement. Il pensait bien par exemple qu'une terre en état de culture put valoir plus qu'une propriété plus étendue, mais qui ne serait pas cultivée, etc., et il se proposait de faire connaître ses vues là dessus lorsqu'on en viendrait aux détails de la mesure.<sup>74</sup>

M. CAUCHON prit la parole ensuite au milieu des démonstrations les plus hostiles de la droite ... il n'en persista pas moins à vouloir se faire entendre, et put prononcer son discours malgré les ... interruptions de ses adversaires. ... Il dit qu'il était déterminé à exprimer son opinion, que rien au monde ne pouvait l'en empêcher; qu'il représentait un comté qui en attendait autant de sa part. Il aborda la question. Il développa ce qui suivant lui était le meilleur mode de taxation. Il appuyait le bill en principe et dans ses détails, quoiqu'il en croyait quelques-uns encore susceptibles d'amendement. Il signala en particulier une dissemblance entre le projet amendé et alors devant la chambre et celui qui avait été d'abord distribué; cela se trouvait dans le préambule.<sup>75</sup>

M. ARMSTRONG se prononça également en faveur de l'encouragement de l'éducation, seulement il aurait voulu substituer à taxe un mot moins dur.<sup>76</sup>

M. PAPINEAU aborda ensuite la question qu'il traita assez au long, sans qu'il nous fut pourtant possible d'entendre un seul mot de ce qu'il dit.<sup>77</sup>

M. COLVILLE reconnaissait que les habitans de Beauharnais consentaient volontiers à se taxer pour l'éducation de leurs enfans, et dit que tant qu'on les priverait d'instruction, ils seraient dans un position inférieure par rapport à ceux qui étaient instruits.<sup>78</sup>

M. AYLWIN ((fit)) quelques observations ... en faveur de la mesure.<sup>79</sup>

M. LATERRIERE, abordant les détails, objecta à la clause des examinateurs sur le principe qu'il ne fallait pas les laisser à la nomination de personnes illetrées (sic), ni exclusivement aux suggestions du curé qui ne pourrait pas assez se garantir de la partialité.<sup>80</sup>

M. BERTHELOT appuya l'objection du préopinant; il fit sentir l'impossibilité d'avoir ici tout-à-coup toutes les ressources qu'on a en Europe pour répandre les avantages de l'éducation; que là le beau spectacle qui s'y déploie sous ce rapport est le résultat du temps. Il a eu occasion d'en juger par lui-même; les hommes de science trouvent au besoin des auxiliaires (sic) dans leurs familles; il a vu des professeurs se faire assister par des jeunes gens de 15 à 16 ans, leurs neveux ou cousins, qui leur aidaient à faire les dissertations les plus savantes. On ne peut espérer ici d'atteindre tout à coup cette hauteur, l'éducation ne se fait que par degré. Il termina en disant qu'il désirait voir les instituteurs soumis à la nomination de personnes compétentes.<sup>81</sup>

M. LAFONTAINE relève la clause relative à l'élection des commissaires.<sup>82</sup>

M. PAPINEAU ((fit)) quelques mots d'explication.<sup>83</sup>

M. LAFONTAINE ... propose un amendement tendant à mieux définir les localités.<sup>84</sup>

M. AYLWIN ne voulait pas qu'on accordât le pouvoir au gouvernement exécutif de forcer le peuple à élire des commissaires en se réservant de les nommer si le peuple ne les choisissait pas, que cela était contraire aux principes.<sup>85</sup>

M. ((JAMES)) SMITH dit que la mesure serait inutile sans cela.<sup>86</sup>

M. LAFONTAINE voulait que ce pouvoir fut au moins limité à un certain temps.<sup>87</sup>

M. JOHNSTON ((a rappelé M. LaFontaine à l'ordre.))<sup>88</sup>

((Il fut lui-même rappelé à l'ordre.))<sup>89</sup>

M. LAFONTAINE pût ensuite continuer ses observations; il fit voir que le gouvernement ne pourrait nommer les commissaires si le magistrat n'avait pas agi conformément à la clause.<sup>90</sup>

M. ((JAMES)) SMITH s'appliqua à combattre cette proposition.<sup>91</sup>

Il fut ensuite proposé par M. CHABOT un autre amendement tendant à faire fixer l'assemblée annuelle pour l'élection des commissaires d'école du 1 juin au 1 juillet au lieu du 1 mai.<sup>92</sup>

M. WATTS voulait la fixer en hiver.<sup>93</sup>

M. CHABOT fit voir que cela était sujet à de grands inconvénients, et qu'il était même impossible dans plusieurs endroits de faire l'assemblée en mai.<sup>94</sup>

MR. ((JAMES)) SMITH dit ... qu'on ferait mieux d'abandonner le bill tout à fait que de l'amender de la sorte en comité général; que la meilleure marche à suivre aurait été de renvoyer de nouveau le bill au comité spécial où l'on pourrait suggérer tous les amendemens.<sup>95</sup>

M. LAFONTAINE ... était surpris que l'administration prit les choses sur ce pied là; qu'elle aurait dû elle-même immédiatement référer son bill à un comité général et en prendre honnêtement la responsabilité, au lieu de le laisser aller en comité spécial où l'opposition l'a déjà amendé au point d'en faire une mesure essentiellement différente de ce qu'elle était à l'état de projet ministériel. Il était donc très surpris de la prétention de l'hon. procureur-général. Le changement proposé à la clause en question était de peu d'importance, quoique nécessaire. On avait démontré qu'il était impossible de faire les assemblées en mai, on demandait de les fixer à juillet.<sup>96</sup>

M. PAPINEAU s'opposa à l'amendement voulant que l'assemblée fut fixe.<sup>97</sup>

L'amendement fut cependant emporté.<sup>98</sup>

Plusieurs clauses furent ensuite adoptées.<sup>99</sup>

M. COLVILLE proposa en amendement à la 16e. clause de donner le double vote au président des assemblées des commissaires, au lieu de la simple voix prépondérante; il aimait bien que les opinions des présidents fussent connues; ... comme il voyait que la majorité était adverse à son amendement, il demande ... de le retirer.<sup>100</sup>

((Il obtint de le retirer.))<sup>101</sup>

((M. COLVILLE retire son amendement.))<sup>102</sup>

Sur la division qui eut lieu sur le mérite du bill quant à la taxation, M. Laurin se trouva seul dans la négative.<sup>103</sup>

(366)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Hale reported, that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Monday next, in the afternoon sitting.*

*Orders of the Day.*

*Ordered, That the remaining Orders of the Day be postponed until Monday next, and that they be*

*the first of the Orders of the Day after those fixed specially.*

*Then, on motion of Mr. Laurin, seconded by Mr. Lantier,*

*The House adjourned until Monday next.*



FOOTNOTES - 14 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 18 March 1845; BROCKVILLE RECORDER, 20 March 1845, and MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845, in identical accounts; PILOT, 15 March 1845, whose account was copied by BROCKVILLE RECORDER, 20 March 1845; and LE JOURNAL DE QUEBEC, 11 March 1845, which noted it. Commentaries were contained in the PILOT, 15 March 1845, copied by BROCKVILLE RECORDER, 20 March 1845.
2. MONTREAL GAZETTE, 18 March 1845.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.     The ellipsis represents an illegible line.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845.
29. The debate on this matter was reported by: BROCKVILLE RECORDER, 20 March 1845, and MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845, in identical accounts. Although this motion was withdrawn, it is inserted in the JOURNALS because it is precisely located in all the newspapers reporting it.
30. MONTREAL TRANSCRIPT, 15 March 1845.
31. IBID.
32. IBID.
33. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845, and BROCKVILLE RECORDER, 20 March 1845, in identical accounts; ST. CATHARINES JOURNAL, 27 March 1845; MONTREAL GAZETTE, 18 March 1845; BRITISH WHIG, 18 March 1845, which copied MONTREAL HERALD, 15 March 1845; and CHATHAM GLEANER, 25 March

1845.

34. MONTREAL GAZETTE, 18 March 1845.

35. MONTREAL TRANSCRIPT, 15 March 1845.

36. MONTREAL GAZETTE, 18 March 1845.

37. CHATHAM GLEANER, 25 March 1845.

38. MONTREAL GAZETTE, 18 March 1845.

39. IBID.

40. MONTREAL TRANSCRIPT, 15 March 1845.

41. The BRITISH WHIG, 18 March 1845, added: "it being understood that ministerial measures come on at the evening Session only on Thursdays."

42. The debate on this matter was reported by: LA MINERVE, 17 March 1845; MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845; PILOT, 18 March 1845, and MONTREAL GAZETTE, 18 March 1845, which noted it.

43. LA MINERVE, 17 March 1845.

44. IBID.

45. IBID.

46. IBID.

47. IBID.

48. MONTREAL TRANSCRIPT, 15 March 1845.

49. LA MINERVE, 17 March 1845.

50. MONTREAL TRANSCRIPT, 15 March 1845.

51. IBID.

52. LA MINERVE, 17 March 1845.

53. The debate on this matter was reported by: LA MINERVE, 20 March 1845; MONTREAL TRANSCRIPT, 15 March 1845, copied by KINGSTON NEWS, 20 March 1845; and MONTREAL GAZETTE, 18 March 1845, and CHATHAM GLEANER, 25 March 1845, in identical accounts. When selections are chosen from the identical accounts in the MONTREAL GAZETTE and the CHATHAM GLEANER, the latter is reproduced because the MONTREAL GAZETTE is quite difficult to read.

54. CHATHAM GLEANER, 25 March 1845.

55. LA MINERVE, 20 March 1845.

56. IBID.

57. CHATHAM GLEANER, 25 March 1845.

58. IBID.

59. IBID.

60. IBID.

61. IBID.

62. IBID.

63. IBID.

64. IBID.

65. IBID.

66. LA MINERVE, 20 March 1845.

67. IBID.

68. IBID.

69. IBID.

70. The debate on this matter was reported by: LE JOURNAL DE QUEBEC, 20 March 1845, and LE CANADIEN, 19 March 1845, in identical accounts; MONTREAL

TRANSCRIPT, 15 March 1845, whose account was copied by KINGSTON NEWS, 20 March 1845, and translated by LE CANADIEN, 19 March 1845; and LA MINERVE, 20 March 1845. Commentaries were contained in LE CASTOR, copied by LE CANADIEN, 19 March 1845; and LA GAZETTE DE QUEBEC, copied by LE CANADIEN, 19 March 1845, which noted that: "M. Laurin nous a transmis le discours qu'il a prononcé en cette occasion, pour justifier son vote, et nous le publions avec plaisir."

71. LE CANADIEN, 19 March 1845.

72. LA MINERVE, 20 March 1845.

73. IBID.

74. IBID.

75. IBID.

76. IBID.

77. IBID.

78. IBID.

79. IBID.

80. IBID.

81. IBID.

82. IBID.

83. IBID.

84. IBID.

85. IBID.

86. IBID.

87. IBID.

88. IBID, which noted: "M. Johnston se donna comme toujours beaucoup de peine pour retarder les procédés, interrompant à chaque instant M. La Fontaine et d'autres orateurs, sous le prétexte de les rappeler à l'ordre; mais ses importunités finirent par déplaire à la droite qui le mit lui-même à l'ordre, que lui seul troublait."

89. IBID.

90. IBID.

91. IBID.

92. IBID.

93. IBID.

94. IBID.

95. IBID.

96. IBID.

97. IBID.

98. IBID.

99. IBID.

100. IBID.

101. IBID.

102. IBID.

103. IBID.

MONDAY, 17 MARCH 1845.

(366)

Petitions  
brought up.

THE following petitions were severally brought up and laid on the table:--

By Mr. Taché, the Petition of Messieurs G. B. Asselin and Company, and others, Tinsmiths, of the city of Montreal.

By Mr. Riddell, the Petition of the Reverend William Bettridge, B. D., and others, members of the Church of England, in Woodstock, in Canada, (relating to King's College.)

By Mr. Williams, the Petition of John Steele and William Kingston, on behalf of a public meeting of the town and township, Superintendents, and Trustees, of Common Schools in the district of Newcastle.

By Mr. Boulton, the Petition of the Honourable J. B. Robinson, Chief Justice of Upper Canada, and others, of Toronto, visitors of King's College.

By Mr. Christie, the Petition of William Baker, and others, of Gaspé Bay.

By Mr. Macdonald, of Kingston, the Petition of G. H. Ryland, Esquire, Registrar of Quebec.

Island of  
Orleans.

An engrossed Bill, to detach the Island of Orleans from the county of Montmorenci, for the purposes of Registration of Titles, and to establish a Registry Office in the said island, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to detach the Island of Orleans from the county of Montmorenci, for the purposes of the Registration of Titles, and to establish a Registry Office in the said island."

Ordered, That Mr. Cauchon do carry the said Bill to the Legislative Council, and desire their concurrence.

Ferries, Upper  
Canada.

An engrossed Bill for better enforcing the provisions of the Act of the Legislature of Upper Canada, for the regulation of Ferries, and for protecting the rights of the Lessees of Ferries, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Jessup do carry the said Bill to the Legislative Council, and desire their concurrence.



Sheriffs' Fees,  
Upper Canada.

An engrossed Bill to regulate the Fees of Sheriffs and other officers, in that part of this Province, called Upper Canada, was read for the third time.

On motion of Mr. Sherwood, of Brockville, seconded by Mr. Jessup,

Ordered, That the following amendment be made to the Bill:--insert the words "and for other district purposes," between the word "Justice," in the fifteenth, and the word "by," in the sixteenth lines of the first press.

The Bill was then amended at the table.

Fees, District  
Officers, Upper  
Canada.

Resolved, That the Bill do pass, and the title be, "An Act to regulate the Fees of certain District Officers, in that part of this Province, called Upper Canada."

Ordered, That Mr. Sherwood, of Brockville, do carry the said Bill to the Legislative Council, and desire their concurrence.

Driving over  
Bridges, Upper  
Canada.

An engrossed Bill to prevent persons riding or driving at a fast rate over certain Bridges erected across the Grand River, in Upper Canada, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to prevent persons riding or driving at a fast rate over Bridges of more than a certain length, in Upper Canada."

Ordered, That Mr. Dickson do carry the said Bill to the Legislative Council, and desire their concurrence.

Taxes, District  
of Johnstown.

An engrossed Bill, to provide for the Collection of Arrears of Taxes in the district of Johnstown, and for other purposes, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gowan do carry the said Bill to the Legislative Council, and desire their concurrence.

Harris'  
Divorce.

Mr. Macdonald, of Kingston, moved, seconded by the Honourable Mr. Solicitor General Sherwood, that the engrossed Bill from the Legislative Council, intituled, "An Act to dissolve the marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned,"

*be now read for the third time.*

(367)

*The Honourable Mr. Aylwin moved, in amendment, seconded by Mr. Chabot, that the word "now" in the said motion be struck out, and the words "this day six months" be substituted.<sup>1</sup>*

MR. AYLWIN: The hon. member said, that his reason was this, that the petitioner was not a native of the Province<sup>2</sup>, and his intention appeared to be never to return. His wife also, he was happy to say, was not a native, and he was glad to believe would never be domiciled here again.<sup>3</sup> He saw no reason why Captain Harris should not have applied to the Parliament of England, which had the power to legislate in such a case as this for the Colony as well as for the Empire. There was another objection; as both these persons were members of the Church of England, why did not he apply to the Spiritual Courts; why did not he apply to the Archbishop of Canterbury, as he would have been compelled to do had he been in England? Had the parties been Roman Catholics he would have voted against the Bill, believing that to pass it in such a case would have been an act of sacrilege; on the same principle he would vote against it now, for he had great objections to taking these parties out of the pale of their own Church.<sup>4</sup>

A few remarks ... ((were made by)) MESSRS. JOHNSTON and ((JOHN A.)) MACDONALD (Kingston).<sup>5</sup>

(367)

*The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Berthelot, Boutillier, Cauchon, Chabot, DeWitt, Guillet, Jobin, Lacoste, Lantier, Laterrière, Laurin, Méthot, Morin, Papineau, Roblin, Rousseau, and Taché--(19.)

NAYS.

Boulton, Chalmers, Christie, Colville, Cummings, DeBleury, Dickson, Duggan, Ermatinger, Gowan, Greive, Hale, Jessup, Johnston, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Petrie, Price, Riddell, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, and Williams--(35.)

*So it passed in the negative.*

*The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--*

YEAS.

Boulton, Chalmers, Christie, Colville, Cummings, DeBleury, Dickson, Duggan, Ermavanger, Gowan, Greive, Hale, Jessup, Johnston, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Petrie, Price, Riddell, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, and Williams--(35.)

NAYS.

Armstrong, Aylwin, Berthelot, Boutillier, Cauchon, Chabot, DeWitt, Guillet, Jobin, Lacoste, Lantier, Laterrière, Laurin, Méthot, Morin, Papineau, Roblin, Rousseau, and Taché--(19.)

So it was carried in the affirmative, and  
Ordered, accordingly.

The said Bill was then read for the third time.

Mr. Macdonald, of Kingston, moved, seconded by the Honourable Mr. Moffatt, that the Bill do pass.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down, as in the last preceding division.

So it was carried in the affirmative, and  
Resolved, accordingly.

Ordered, That Mr. Macdonald, of Kingston, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same without any amendment.

Resolved, That a Message be sent to the Honourable the Legislative Council, to return to their Honours the Minutes of Evidence taken before that Honourable House, on the Bill, intituled, "An Act to dissolve the Marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned," as requested by their Message of the fourth of March instant.

Ordered, That Mr. Macdonald, of Kingston, do carry the said Message to the Legislative Council.

Petitions read.

Pursuant to the Order of the Day, the following  
Petitions were read:--

Of W. H. Allen and others, of the townships of Hope and Clarke, in the district of Newcastle, praying that no assignment of the Clergy Reserve Lands may be made, but that they be sold in the usual manner.

Of John Campbell, of Kingston, praying an additional allowance for work performed by him as Contractor for the Plank Road from Port Hope to Rice Lake, the said allowance to be paid to the benefit of his creditors, under the superintendence of Trustees.

Of John Fogartey and others, labourers employed by John Campbell, late Contractor on Lake Ontario and Rice Lake Road, praying for the liquidation of their claims for labour performed by them for the said John Campbell, in the accomplishment of the said work.

Of H. H. Meredith and others, creditors of John Campbell, late Contractor on the Rice Lake and Lake Ontario Road, praying for the liquidation of their claims as creditors of the said John Campbell, in the prosecution of the said work.

Of Robert Benjamin and others, of the district of Talbot, praying for an increase of the duty on Leather manufactures, imported into this Province from the United States.

Of the Venerable George O'Kill Stewart, L. L. D., and others, inhabitants and proprietors of Lot No. 24, in the 1st concession of the township of Kingston, praying that they may not be included within the limits of the Corporation of the town of Kingston.

Of the Reverend Charles C. Cotton and others, members of the Church of England, of the township of Dunham, Eastern townships, praying that measures may be adopted for vesting in the Church Society, of the diocese of Quebec, for the benefit of the said Church, a portion of the Clergy Reserves, corresponding with their share of the income arising from the same.

Of Robert Hobson, Esquire, and others, of the township of Thorold, in the district of Niagara, praying that means may be taken to introduce a uniform course of study and school books into the Common Schools of that part of this Province known as Canada West.

Of Henry Smith, junior, Esquire, and others, of the Home and Gore districts, praying that the duty on Leather manufactures may be increased, and that raw hides may be admitted into the Province from the United States, free of duty.

Of the Church Society of the diocese of Toronto, praying that no measure affecting the University of King's College may be entertained by the House, at this late period of the Session.



Of John Donegani, of the city of Montreal, praying to be heard by Counsel at the Bar of the House, in the matter of a Bill now under its consideration, relating to the title to lands of persons naturalized under a certain Act by which his rights are affected.

Of George Crawford, Vice-President of the Agricultural Society of the district of Johnstown, praying that the Act establishing Agricultural Societies in Upper Canada, may be amended, by increasing the annual grant to the said societies to three hundred pounds.

(368)

Of John Miller, and others, of the township of Edwardsburgh, in the district of Johnstown, praying for relief in the matter of a new survey of the fifth, sixth, seventh, and eighth concessions of the said township.

Public  
Accounts.

Mr. Christie, from the Special Committee to which were referred the Public Accounts for 1843, laid before this House, on Friday, the thirteenth of December last, and other references, with power to report from time to time, presented to the House the third Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix M. M.)

Ordered, That the said Report be printed in each of the English and French languages, for the use of the Members of this House.

Municipal au-  
thorities,  
Lower Canada.

The Honourable Mr. Papineau, from the Select Committee, to which was referred, the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of local or municipal authorities in Lower Canada, with an instruction, and other references, reported that the Committee had gone through the Bill, and had made several amendments thereto; and the Report was again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, to-morrow.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by Mr. Duggan,

City of Toronto  
and Lake Huron  
Railroad Com-  
pany.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act passed in the sixth year of the reign of His late Majesty, King William the Fourth, intituled, 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company,' be now taken into consideration.

*The House proceeded accordingly to take the said amendments into consideration.*

*And the said amendments were read, and are as followeth:--*

*Press 1, Line 26.--After "planked" insert "macadamized."*

*" 1, " 29.--After "planked," insert "macadamized."*

*" 1, " 32.--After "Act," insert the following clauses, marked A, B, and C:--*

*CLAUSE A.*

*"And be it enacted, that all the provisions of the said hereinbefore recited Act, shall apply to, and be in full force as regards any planked, macadamized, or blocked road, hereby authorized to be constructed, or to any Railroad, which the said Company may, in their discretion construct."*

*CLAUSE B.*

*"And be it enacted, that notwithstanding any thing in the said Act contained, the capital stock in the said Company shall not exceed in value five hundred thousand pounds, divided into shares of five pounds each; and it shall, and may be lawful for the said Company to sue for, and recover the amount of any share or shares subscribed by any person or persons in the capital stock thereof, in any Court having competent jurisdiction."*

*CLAUSE C.*

*"And be it enacted, That nothing in this Act contained, shall extend, or be construed to extend, to prevent the Legislature of this Province from incorporating any other Joint Stock Company or Companies at any time hereafter, from any point on Lake Ontario, to any point on Lake Huron, any thing herein contained to the contrary notwithstanding."*

*Preamble, Line 7.--After the word "planked," insert "macadamized."*

*And the said amendments being again read, they were agreed to by the House.*

*Ordered, That the Honourable Mr. Solicitor General Sherwood, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.*

On motion of Mr. Boulton, seconded by Mr. Ermatinger,

Visitors of  
King's College,  
Toronto.

Ordered, That the Petition of the Honourable J. B. Robinson, Chief Justice of Upper Canada, and others, of Toronto, visitors of King's College, praying that no alteration may be made in the present Charter of King's College, laid on the table of this House, this day, be now read, and that the rule of this House of the 28th June, 1841, be dispensed with, as to the present Petition.

The said Petition was read accordingly.

Ordered, That five hundred copies of the said Petition be printed for the use of the Members of this House.

On motion of Mr. Hale, seconded by Mr. M'Connell,

Toll-Bridge  
over the River  
Richelieu.

Ordered, That the amendments made by the Legislative Council to the Bill, "intituled, "An Act to authorize John Yule, the younger, to build a Toll Bridge over the River Richelieu, in the parish of Saint Joseph de Chambly, to fix the rates of Toll for passing thereon, and to provide regulations for the same," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 4, Line 6.--After "to," leave out all the words to "established," in the 7th line inclusively, and insert "a point situated four hundred yards below the inferior extremity of the Grande Isle de St. Therese."

" 4, " 12.--After "persons," leave out all the words to "otherwise," in the fifteenth line inclusively.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Hale do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments,

(369)

On motion of Mr. Boulton, seconded by Mr. Duggan,

Council of  
King's College.

Ordered, That the Council of King's College at York, near Toronto, in that part of this Province, formerly called Upper Canada, be, in pursuance of their Petition, heard by Counsel at the Bar of this House against the several Bills introduced, intituled, "An Act for erecting a University, by the name and style of the University of Upper Canada;" "An Act to vest the endowment granted by the Crown for University Education in Upper Canada, in the University of Upper Canada, and for other purposes therein mentioned;" and "An Act to repeal a certain Act therein mentioned, and to alter and amend the Charter of the University of King's College," upon the second readings of the said Bills.

Adjournment.

Ordered, That when this House doth adjourn, it will adjourn from one o'clock to four o'clock, P.M. this day.

Norfolk con-  
tested Election.

Mr. Watts, from the Select Committee, appointed to try the merits of the Petition of David Duncombe, Esquire, late a candidate for the county of Norfolk, and others, his supporters, complaining of the undue election and return of Israel Wood Powell, Esquire; reported to the House, that the Committee met this morning at nine o'clock, pursuant to adjournment, and Mr. Dunlop, the chairman of the Committee, not attending, they continued sitting for one hour, and then adjourned until to-morrow, at nine o'clock, A.M.

Member for  
Huron.

Ordered, That William Dunlop, Esquire, Member for Huron, do attend in his place in this House, at the next sitting of the House.

On motion of Mr. Christie, seconded by Mr. DeWitt,

Fisheries, Gulf  
of St. Lawrence.

Resolved, That this House doth concur in the Report of the Select Committee, to which was referred the Petition of James Perchard, Abraham Coffin, and others, of Gaspé Bay, engaged in the Whale, Cod, and other Fisheries, in the Gulf of St. Lawrence.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to take the subject matter of the said Petition into his consideration, and grant such relief as it may be in his power to afford.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Municipal  
District of  
Nicolet.

Ordered, That Mr. Méthot have leave to bring in a Bill to change the place of meeting of the District Council, for the Municipal District of Nicolet.



*He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.*

MR. DEBLEURY<sup>6</sup>, seconded by MR. GOWAN, ... ((moved to bring)) in a Bill relative to the property of McGill College.<sup>7</sup>

(369)

McGill College  
Montreal.

*Ordered, That the Honourable Mr. DeBleury have leave to bring in a Bill to enable the Corporation of the "Governor, Principal, and Fellows" of McGill College, at Montreal, to hold the property of the said College; and to dispose of certain portions of Land for the better support of said College.*

*He accordingly presented the said Bill to the House.*

MR. MOFFATT said, that it was designed by this Bill to take certain properties left under the will of the late Hon. James McGill from the present trustees, that is, the Royal Institution for the advancement of learning, and vest them in the present Governors of McGill College. As he (Mr. Moffatt) was himself a member of the Royal Institution he should refrain from taking any part in the debate nor should he oppose the intended alternative. He merely wished to lay before the House a short statement of the facts of the case. This property was vested in the hands of the present trustees before the Royal Charter was granted which established McGill College; the authorities of that College now desired that an immediate transfer of this property should be effected; although some high legal authorities had given their opinion that the property in question was legally vested in the Royal Institution. He had every wish to see that transfer effected whenever McGill College should be in an efficient state, but he could not conceive it possible that that could be the case now, when the trustees were but ex officio Governors connected with the institution. The first of these was the Governor General, who would not act because of the dispute now existing between the College and the Royal Institution. The second was the Bishop of Montreal, who always lived at Quebec, and the third the Chief Justice of Upper Canada who lived in Toronto. The Fourth was the Chief Justice of Montreal, and he understood that that gentleman from being a Roman Catholic felt a good deal of delicacy in interfering with a Protestant Institution. The fifth was Dr. Bethune, the Principal of the College, and should he be absent there would actually be no Governor at all upon the spot. He contended besides that the conditions of the Royal Charter had never been carried out, and that in fact the College had no legal existence. He thought that under these circumstances it would be for the property to remain in its present hands until those things were amended.<sup>8</sup>

MR. GOWAN hoped the hon. member would offer no opposition to the printing ((of)) the Bill in which he believed there was nothing objectionable.<sup>9</sup>

(369)

and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Assessment  
Laws, Upper  
Canada, (Brock-  
ville.)

Mr. Dickson, from the Committee of the whole House to take into consideration the propriety of amending the Assessment Laws of that part of the Province called Upper Canada, in so far as they relate to the town of Brockville; and also so much of the Act of Upper Canada aforesaid, 2 William IV., chapter 17, as relates to the collection of the Rates and Assessments in the said town; reported, according to order, the resolution of the said Committee, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth;--

Resolved, That it is expedient to amend the Assessment Laws of that part of this Province called Upper Canada, in so far as they relate to the town of Brockville; and also so much of the Act of Upper Canada aforesaid, of the 3d William IV. chapter 17, as relates to the collection of the Rates and Assessments in the said town.

Ordered, That Mr. Sherwood, of Brockville, have leave to bring in a Bill to alter and amend the Assessment Laws of Upper Canada, as far as they relate to the town of Brockville.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

Common  
School Houses,  
Upper Canada.

The Order of the Day for the second reading of the Bill to provide for the erection of Common School Houses in Upper Canada, and for other purposes therein mentioned, being read,

Ordered, That the said Bill be read a second time, on Thursday next.

Culling and  
Measurement  
of Timber.

The Order of the Day for the House in Committee on the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, being read,

The House resolved itself into the said Committee.

Mr. Colville took the chair of the Committee,<sup>11</sup> and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Colville reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again this day, in the afternoon sitting.

Then, the House adjourned till 4 o'clock, P.M., this day.

4 O'Clock, P.M.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

Mr. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Reporter, Court  
of Chancery.

"An Act to authorize the appointment of a Reporter in the Court of Chancery."

Small Debts,  
Upper Canada.

"An Act to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, intituled, 'An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor.'"

Duties of  
Customs.

"An Act for granting Provincial Duties of Customs."

(370)

Printed Copies  
of Laws.

"An Act to provide for the distribution of the printed copies of the Laws."

And then he withdrew.

Member for  
Huron on Nor-  
folk Election  
trial.

According to order, William Dunlop, Esquire, Member for Huron, who was absent this morning, from the Select Committee appointed to try the merits of the Petition of David Duncombe, Esquire, late a Candidate for the county of Norfolk, and others his supporters, complaining of the undue election and return of Israel Wood Powell, Esquire, attended in his place in this House.

Mr. Dunlop rose in his place and stated his reasons for not being present at the meeting of the said Committee, and verified the same upon oath.

On motion of Mr. Macdonell, of Dundas, seconded by Mr. Johnston,

Resolved, That Mr. Dunlop, having stated his reasons for not being present at the meeting of the Select Committee for the trial of the contested election for the county of Norfolk, and having verified the same upon oath, be excused for such non-attendance.

Attendance of  
the House on  
the Governor  
General.

A Message from His Excellency, the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:--

Mr. SPEAKER,

His Excellency, the Governor General, desires the immediate attendance of this Honourable House in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber,

And being returned,

Royal Assent  
to Bills.

Mr. Speaker reported that, agreeable to the commands of His Excellency, the Governor General, the House had attended His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:--

Religious So-  
cieties relief.

"An Act to extend the provisions of two certain Acts of the Parliament of the Province of Upper Canada, to other denominations of Christians than those therein enumerated."

High School,  
Montreal.

"An Act to incorporate the High School of Montreal."

Quebec Library  
Association.

"An Act to incorporate the members of the Quebec Library Association."

Les Soeurs de  
Notre Dame.

"An Act to authorize the community of Ladies called Les Soeurs de la Congrégation Notre Dame de Montréal, to acquire and hold additional real or personal property to a certain amount."

Seminaire de  
Ste. Thérèse.

"An Act to incorporate Le petit Séminaire de St. Thérèse de Blainville, in the district of Montreal."

Des Soeurs de  
Marie.

"An Act to incorporate La communauté des Soeurs des St. noms de Jésus et Marie, of the parish of St. Antoine de Longueuil in the district of Montreal,"



for the purposes of education."

Canada Baptist  
Missionary So-  
ciety.

"An Act to incorporate the Canada Baptist Mis-  
sionary Society."

Nuns, Ursuline  
Convent.

"An Act to authorize the Nuns of the Ursuline  
Convent at Three Rivers, to acquire and hold addi-  
tional real and immoveable property to a certain  
amount."

Line Fences,  
Upper Canada.

"An Act to repeal an Act therein mentioned, and  
to provide for the regulation of Line Fences and  
Water Courses in Upper Canada."

Office of Sur-  
veyor General.

"An Act to abolish the office of Surveyor Ge-  
neral, and to provide for the performance of the  
duties of that office by the Commissioner of Crown  
Lands."

Management  
of Customs.

"An Act to provide for the management of the  
Customs, and of matters relative to the collection  
of the Provincial Revenue."

High School,  
Quebec.

"An Act to incorporate the High School of  
Quebec."

Clergy voting  
at Elections.

"An Act to repeal that portion of the Act  
therein mentioned, which prevent members of the  
Clergy from voting at elections of Members to serve  
in the Legislative Assembly of this Province."

Insolvent  
Debtors.

"An Act to afford relief to Insolvent Debtors."

St. Sylvester.

"An Act to detach the parish of Saint Sylvester  
from the county of Lotbinière, and to annex it to  
the county of Megantic, for the purposes of registration only."

Upper Canada  
Trust and Loan  
Company.

"An Act to amend and extend certain provisions  
of an Act, made and passed in the seventh year of  
the reign of Her present Majesty, intituled, 'An  
Act for incorporating and granting certain powers  
to the Upper Canada Trust and Loan Company.'"

British Planta-  
tion Vessels.

"An Act to secure the right of property in Bri-  
tish Plantation Vessels navigating the inland waters  
of this Province, and not registered under the Act

of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of the reign of His late Majesty, King William IV., intituled, 'An Act for the registering of British Vessels,' and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such Vessels."

"Christian Unitarians."

"An Act to afford relief to a certain religious congregation at Montreal, denominated 'Christian Unitarians.'"

Courts of Assize, Upper Canada.

"An Act to make further regulation for holding the Courts of Assize, and Nisi Prius, Oyer and Terminer, and General Gaol Delivery in Upper Canada, and to provide for the trial of Prisoners under certain circumstances."

District Courts Upper Canada.

"An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the practice of District Courts, in the several districts of that part of this Province, formerly Upper Canada."

St. Lawrence Railroad.

"An Act to incorporate the St. Lawrence and Atlantic Railroad Company."

The Honourable the Speaker of the Legislative Assembly, then presented the three following Bills:--

Duties of Customs.

"An Act for granting Provincial Duties of Customs."

Outrages, Public Works.

An Act for the better preservation of the peace, and the prevention of riots and violent outrages, at, and near Public Works, while in the progress of construction."

Geological Survey.

"An Act to make provision for a Geological Survey of this Province."

Royal Assent.

To each of which Bills His Excellency was pleased to signify the Royal Assent in the following words:--

"In Her Majesty's name, I thank Her loyal subjects, accept their benevolence, and assent to this Bill."

Culling and Measurement of Timber.

The Order of the Day for the House in Committee, on the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, being read,

(371)

*The House accordingly resolved itself into the said Committee.*

*Mr. Colville took the chair of the Committee,*<sup>10</sup>

The twenty-fourth clause, making the culling and measuring of timber compulsory when shipped for exportation by any other parties, except the actual manufacturer ((was considered.))<sup>11</sup>

MM. AYLWIN, GOWAN, MERRITT et MOFFATT,<sup>12</sup> were against the compulsory system, on the ground that it operated as a hardship to dealers, and a hinderance (sic) to trade.<sup>13</sup>

The hon. member for Montreal ((MR. MOFFATT)) read the opinions of several large dealers in Quebec, complaining of the operation of the present law, and praying for alteration.<sup>14</sup>

He was opposed by<sup>15</sup> M.M. CAMERON, DRUMMOND, JOHNSTON, ARMSTRONG, CAUCHON et LE DOCTEUR TACHE<sup>16</sup>, who were in favour of the intervention of regularly appointed cullers, which they seemed to consider necessary to keep up the character of the trade.<sup>17</sup>

An amendment ((was)) proposed by MR. CAMERON to compel Merchants to allow Lumber to be culled by regular cullers.<sup>18</sup>

MR. MOFFATT ... led the opposition to this amendment.<sup>19</sup>

Celui-ci l'emporta à une grande majorité, 10 ou 12 membres seulement ayant voté contre.<sup>20</sup>

MR. MOFFATT, ((moved an amendment)) to exempt Montreal from the operation of the bill<sup>21</sup>.

((This amendment was lost.))<sup>22</sup>

The other clauses were then gone through<sup>23</sup>.

(371)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Colville reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*<sup>24</sup>

Ordered, That the Report be received to-morrow.

Board of Works.

The Order of the Day for the second reading of the Bill, to amend the Act passed in the fourth and fifth years of Her Majesty, intituled, "An Act to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province," being read,

The said Bill was accordingly read, and committed to a Committee of the whole House on Thursday next.

Agriculture, Upper Canada.

The Order of the Day for the second reading of the Bill, for the encouragement of Agricultural Societies, and Agriculture in Upper Canada, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Hall took the chair of the Committee,

The Bill provides for the granting of £250 to each Agricultural Society, and that there shall be but one in each county.<sup>25</sup>

MR. GOWAN moved that the Brockville Mercantile and Agricultural Society should receive the same amount, and that this grant should not preclude the establishment of another Society in that county.<sup>26</sup>

The motion was decided to be out of order ((by the Speaker SIR ALLAN MACNAB.))<sup>27</sup>

(371)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hall reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Orders of the Day.

Mr. Thompson moved, seconded by Mr. Powell, that the remaining orders of the day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:--

YEAS.

Baldwin, Boutillier, Cameron, Cauchon, Chabot, Chauveau, Christie,



Cummings, Dickson, Duggan, Ermatinger, Foster, Greive, Johnston, LaFontaine, Lantier, Leslie, Macdonell of STORMONT, M'Connell, Merritt, Méthot, Powell, Petrie, Riddell, Roblin, Rousseau, Smith of FRONTENAC, Smith of WENTWORTH, and Thompson--(29.)

NAYS.

Armstrong, Bertrand, Boulton, Chalmers, DeWitt, Gowan, Guillet, Hale, Hall, Jessup, Jobin, Laterrière, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Meyers, Moffatt, Morin, Papineau, Price, Robinson, Scott, Seymour, Sherwood of BROCKVILLE, Attorney General Smith, Taché, Watts, Webster, and Williams--(29.)

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

Mr. Smith, of Frontenac, moved, seconded by Mr. Cameron, that this House do now adjourn.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Mr. Smith, of Frontenac, then moved, seconded by Mr. Thompson, that the remaining orders of the day be postponed until to-morrow.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Boutillier, Cameron, Cauchon, Chabot, Chalmers, Chauveau, Christie, Cummings, Desaunier, DeWitt, Drummond, Duggan, Ermatinger, Foster, Greive, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Meyers, Petrie, Riddell, Rousseau, Smith of FRONTENAC, and Thompson--(31.)

NAYS.

Armstrong, Bertrand, Boulton, Dickson, Gowan, Guillet, Hale, Jessup, Jobin, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Moffatt, Morin, Murney, Papineau, Powell, Price, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Taché, Watts, Webster and Williams--(33.)

So it passed in the negative.

Adjournment.

Mr. Lantier moved, seconded by Mr. Méthot, that this House do now adjourn.

Mr. Thompson moved, in amendment, seconded by Mr. Powell, that the following words be added to the said motion, "and that the remaining Orders of the Day be postponed until to-morrow."

MR. HALL said, that in consequence of these repeated motions, when the orders of the day came in on tomorrow he would take every opportunity to move an adjournment, for if the House was to be tyrannized over by one man, he did not see why he should not be that one. If hon. members were disposed to postpone the business, they should have enough of it.<sup>28</sup>

(371)

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Cauchon, Chabot, Chalmers, Chauveau, Christie, Cummings, Desaunier, DeWitt, Drummond, Duggan, Foster, Greive, Johnston, LaFontaine, Lantier, Laterrière, Leslie, Macdonell of STORMONT, Méthot, Powell, Petrie, Price, Roblin, Rousseau, Smith of FRONTENAC, Stewart of BYTOWN, and Thompson--(33.)

NAYS.

Boulton, Dickson, Attorney General Draper, Ermatinger, Gowan, Guillet, Hale, Hall, Jessup, Jobin, Lacoste, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Meyers, Moffatt, Morin, Murney, Robinson, Seymour, Sherwood of BROCKVILLE, Attorney General Smith, Smith of WENTWORTH, Taché, Watts, Webster, and Williams--(29.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, the House divided thereon, and the names being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Cauchon, Chabot, Chalmers, Chauveau, Christie, Cummings, Desaunier, DeWitt, Drummond, Duggan, Foster, Greive, Guillet, Jobin, Johnston, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Powell, Petrie, Price, Roblin, Rousseau, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of BYTOWN, and Thompson--(38.)

NAYS.

Boulton, Dickson, Attorney General Draper, Ermatinger, Gowan, Hale,  
Hall, Jessup, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Mac-  
donell of DUNDAS, M'Connell, Meyers, Moffatt, Morin, Murney, Robinson,

(372)

Seymour, Sherwood of BROCKVILLE, Attorney General Smith, Taché, Watts,  
Webster and Williams--(25.)

*So it was carried in the affirmative, and*

Ordered, *That this House do now adjourn, and that the remaining Orders of  
the Day be postponed until to-morrow.*

*The House then adjourned accordingly.*

FOOTNOTES - 17 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 20 March 1845; and MONTREAL TRANSCRIPT, 20 March 1845.
2. MONTREAL GAZETTE, 20 March 1845.
3. MONTREAL TRANSCRIPT, 20 March 1845.
4. MONTREAL GAZETTE, 20 March 1845.
5. IBID.
6. The debate on this matter was reported by: PILOT, 18 March 1845; MONTREAL GAZETTE, 20 March 1845; and MONTREAL TRANSCRIPT, 20 March 1845.
7. MONTREAL GAZETTE, 20 March 1845.
8. IBID.
9. IBID.
10. The debate on this matter was reported by: PILOT, 18 March 1845; MONTREAL GAZETTE, 20 March 1845; LE JOURNAL DE QUEBEC, 20 March 1845; LE CANADIEN, 21 March 1845; and MONTREAL TRANSCRIPT, 18 March 1845, and KINGSTON NEWS, 20 March 1845, in identical accounts.
11. MONTREAL TRANSCRIPT, 18 March 1845. The sources for this debate report only what was discussed in the afternoon sitting.
12. LE CANADIEN, 21 March 1845.
13. MONTREAL TRANSCRIPT, 18 March 1845.
14. IBID.
15. IBID.
16. LE CANADIEN, 21 March 1845.
17. MONTREAL TRANSCRIPT, 18 March 1845.
18. PILOT, 18 March 1845.
19. IBID.
20. LE CANADIEN, 21 March 1845.
21. MONTREAL TRANSCRIPT, 18 March 1845.
22. IBID.
23. IBID.
24. LE CANADIEN, 21 March 1845, stated: "Le bill actuel est le même qui a été introduit par M. Stewart de Bytown, avec les amendements suivants:  
Quatre marchands désignés par la chambre de commerce et quatre inspecteurs-mesureurs nommés par le surveillant composeront le bureau d'examineurs.  
Tous chargeurs de bois ou madriers, qui en seront de bonne foi les producteurs ou fabricants, pourront charger sans le permis du surveillant.  
Les taux pour le mesurage sont réduits à 3½d pour les bois durs, 2¼d pour le pin blanc, 12s 6d pour les douves d'étalon, etc.  
Pénalité de la 29e clause, au lieu du misdemeanor, trois fois le montant exigé pour recevoir, s'il n'y a point de convention à cet effet."
25. MONTREAL GAZETTE, 20 March 1845.
26. IBID.
27. IBID.
28. IBID.



TUESDAY, 18 MARCH 1845.

(372)

Norfolk  
Election.

MR. DUNLOP, from the Select Committee, appointed to try the merits of the Petition of David Duncombe, Esquire, late a candidate for the county of Norfolk, and others his supporters, complaining of the undue election and return of Israel Wood Powell, Esquire, reported to the House, that the Committee met this day, but were unable to proceed to business, on account of the absence of the Honourable Mr. Solicitor General Sherwood, and adjourned until to-morrow, at nine o'clock, A.M.

Ordered, That the Honourable Mr. Solicitor General Sherwood, Member for the city of Toronto, do attend in his place, in this House, to-morrow.

Petitions  
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Macdonell, of Dundas, the Petition of Dunham Jones, Esquire, Captain of the 2nd Regiment of Grenville Militia, and others.

By Mr. Merritt, the Petition of John Stayner and others, of the town of Queenstown and its vicinity.

By Mr. Cameron, the Petition of James W. Ritchie and others, Stockholders in the Great Western Railroad Company.

By the Honourable Mr. Robinson, the Petition of James Johnson and others, of West Gwillimbury and the townships in the county of Simcoe, west of Bond Head.

By the Honourable Mr. Moffatt, the Petition of Henry Atkinson, Esquire, and others, of the city of Quebec.

By the Honourable Attorney General Draper, the Petition of the Reverend Adam Townley and others, members of the United Church of England and Ireland, in the township of Dunn and its vicinity, (relating to Common Schools.)

By Mr. Hale, the Petition of the Reverend George Milne, M.A., and others, members of the Church of England, in New Carlisle, Paspébiae, and country adjacent.

By the Honourable Mr. Solicitor General Sherwood, the Petition of George Forbes, of the city of Toronto, late a Sergeant in the 79th Regiment.

By Mr. Jessup, the Petition of Hamilton D. Jessup, Esquire, and others, members of the Board of Police, and inhabitants of the town of Prescott.

By the Honourable Mr. Aylwin, the Petition of the Mayor, Aldermen, and Citizens, of the city of Quebec, (relating to a Water Police;) and the Petition of James. E. Small, late of the city of Toronto, in Upper Canada, now of Montreal, in Lower Canada, Esquire.

By Mr. Dunlop, the Petition of the Municipal Council of the district of Huron, (relating to a Railroad.)

By Mr. Duggan, the Petition of the Reverend George S. J. Hill and others, members of the United Church of England and Ireland, in the township of Caledon and parts adjacent, (relative to the Clergy Reserves.)

By Mr. Macdonald, of Cornwall, the Petition of Henry Brant and others, of the Six Nations of Indians, residing on the Grand River, Canada West.

North American  
Colonial Asso-  
ciation.

Pursuant to the resolution of this House, of the ninth of September, 1842, the engrossed Bill to give further powers to the North American Colonial Association of Ireland, was brought up to be read for the third time.

The Honourable Mr. Moffatt moved, seconded by Mr. Macdonald, of Cornwall, that the said Bill be now read for the third time.

The Honourable Mr. Aylwin moved, in amendment, seconded by Mr. Chabot, that the word "now," in the said motion, be struck out, and the words "this day six months," be sustained.

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Berthelot, Bertrand, Chabot, Chauveau, Christie, Desaunier, Dewitt, Franchère, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Rousseau, and Taché--(20.)

NAYS.

Baldwin, Boulton, Boutillier, Cameron, Chalmers, Colville, Cummings, DeBleury, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Guillet, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau,

Powell, Petrie, Price, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Watts, Webster, Williams, and Woods--(52.)

So it was carried in the negative.

The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down, as followeth:--

YEAS.

Baldwin, Boulton, Boutillier, Cameron, Chalmers, Colville, Cummings, DeBleury, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Guillet, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau, Powell, Petrie, Price, Prince, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Watts, Webster, Williams and Woods--(52.)

NAYS.

Armstrong, Aylwin, Berthelot, Bertrand, Chabot, Chauveau, Christie, Desaunier, DeWitt, Franchère, Jobin, Lacoste, LaFontaine, Lantier, La-terrière, Laurin, Leslie, Méthot, Rousseau, and Taché--(20.)

So it was carried in the affirmative, and

The said Bill was accordingly read for the third time.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Macdonald, of Cornwall,

(373)

Ordered, That the following amendment be made to the Bill:--

Press 12, Line 18, from the bottom, strike out the words, "and also," and insert the word "or."

The Bill was then amended at the table.

The Honourable Mr. Aylwin moved, seconded by Mr. Chabot, that the further consideration of the said Bill be postponed until to-morrow, in order to add thereto, by way of Ryder, at the end of the first enacting clause, the words following: "Provided always, that it shall be the duty of the Chief Agent, in this Province, of the said American Colonial Association of Ireland, to transmit quarterly to the Governor, or the person adminis-

tering the Government of this Province, a Statement upon oath of the amount loaned by the said Association during the quarter next preceding the day of the date of such Return; and a Statement yearly of the Real Property held and possessed by the said Association in this Province; which said Statement shall be laid before the Legislative Council and the Legislative Assembly of this province, within the first fifteen days of each Session of the Provincial Parliament.

The question having been put upon the said motion a division ensued, and the names, being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desautier, DeWitt, Drummond, Franchère, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Merritt, Méthot, Price, Rousseau, Smith of WENTWORTH, Taché, and Thompson--(29.)

NAYS.

Boulton, Chalmers, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Robinson, Roblin, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Watts, Webster, Williams and Woods--(42.)

So it passed in the negative.

Resolved, That the Bill do pass, and the title be, "An Act to give further powers to the North American Colonial Association of Ireland."

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:--

Taxes in Gloucester.

"An Act to authorize the Assessment and Collection of Taxes, in the township of Gloucester, for the year one thousand, eight hundred and forty-four."



Testatum  
Writs.

"An Act to allow the issuing of Testatum Writs of Capias ad respondendum in the several districts in Upper Canada, and for other purposes therein mentioned."

And then he withdrew.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Union Bridge,  
Ottawa.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 16th December, 1844, praying for a Statement of all Contracts entered into for the Erection of the "Union Bridge across the River Ottawa, at Bytown, and the amount received by each Engineer or Superintendent employed on the said Work; and at what date the respective Contracts for the Masonry, Wood, Wire, and Iron Work, were fulfilled; also a detailed account of the whole of the expenses of the slides on the Ottawa, and its tributary streams, with the names and Salaries of the Clerks employed, and the amount of travelling expenses incurred.

(For the Documents accompanying the said Return, see Appendix W. W.)

Also,

Claims for  
Damages, St.  
Lawrence Canal.

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, bearing date the 3d ultimo, praying for an official Return and Account of all Claims for lands and damages claimed by the inhabitants of the county of Dundas, arising from the St. Lawrence Canal, and shewing a detailed Statement of the names of Claimants, for what portion of land, the nature, and amount of their respective damages, how settled, (if so,) whether by arbitration under statute, or private agreement with the Board of Works; what and whose claims are yet unsettled, and the reason of such claims being yet unsettled.

(For the Documents accompanying the said Return, see Appendix X. X.)

And also,

Lunatic  
Asylum.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 13th instant, praying for a detailed Statement of the several amounts paid into the hands of the Receiver General of this Province, by the Treasurers of the several districts of the late Province of Upper Canada, for the establishment and support of a Lunatic Asylum, during the years 1840, 1841, 1842, 1843, 1844, and 1845, shewing the amount received from each district respectively during the above period.

(For the Documents accompanying the said Return, see Appendix Y. Y.)

Petition of D. Girard and others, referred.

River St. Lawrence, below Quebec, and other references.

Ordered, That the Petition of D. Girard and others, Pilots for the River St. Lawrence, be referred to the Committee of the whole House, on the Bill to compel Pilots to qualify themselves for piloting vessels through all the channels of the

Report on the Petition of A. M'Leod.

Mr. Dickson, from the Select Committee, to which was referred the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix Z. Z.)

Report on the Petition of J. Bishop.

Mr. Laurin, from the Select Committee, to which was referred the Petition of James Bishop, of the parish of St. Sylvester, in the county of Lotbinière, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

(374)

Your Committee having taken into consideration the Petition referred to them, are of opinion, that as the Petitioner has not applied at the appointed time for the allowance for 1842, and there being no school funds for the year remaining, they cannot recommend the prayer of the said Petitioner.

On motion of Mr. Laurin, seconded by Mr. Gowan.

Adjournments.

Resolved, That the first rule of this House be suspended during the remainder of the present Session; and that for the future, when this House shall adjourn, it do stand adjourned until ten o'clock of the following morning, unless some other hour of the day be specially named.

Liabilities, Municipal Districts, Lower Canada.

That the Honourable Mr. Papineau have leave to bring in a Bill for ascertaining the liabilities of the several Municipal districts in Lower Canada, and their means of discharging the same.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Culling and  
Measurement  
of Timber.

Mr. Colville, from the Committee of the whole House, on the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, cap. 25, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Agriculture,  
Upper Canada.

Mr. Hall, from the Committee of the whole House, on the Bill for the encouragement of Agricultural Societies and Agriculture in Upper Canada, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

University Bill,  
Upper Canada.

The Order of the Day for the second reading of the Bill, for erecting a University, by the name and style of the University of Upper Canada, being read,

The Counsel against the Bill was called in and heard,<sup>1</sup>

MR. CAMERON said - Sir, in approaching a question of such magnitude, and involving interests so great, and principles of such mighty import, as that against which I have been sent to plead, I do so with the greatest diffidence. My course is surrounded with many difficulties and disadvantages, through which an advocate in an ordinary case and under ordinary circumstances has not to thread his way - which he has not to encounter. When called upon at a moment's notice to appear at the Bar of no ordinary tribunal, without preparation, to argue, the case committed to me, it appears to me, indeed, an almost hopeless task to convince many Honourable Members of that Assembly who have already expressed their opinions on this momentous question, and who, I have perhaps too much reason to fear, wish more to refute the arguments which I shall bring forward in opposition to this Bill, than to listen to them that they may be convinced. I appear at this Bar not only as the Counsel of King's College; but in the issue of this question my deepest feelings are concerned, and I stand here also as a Member of that Church which is to be affected by this measure; this is a feeling of which I cannot divest myself, and I would not if I could. The Bill against which I appeal is not alone a Bill affecting the rights of the Church to which I belong, but one which strikes at the root of principles hallowed by the sanction of centuries, and blended in the very body of the British Constitution. In attempting to put a stop to its progress, it may be said with truth that I appear in the name and on the behalf of every individual of this Province, and through my voice



tens of thousands cry against it, for if this measure pass, where is the right so sacred, where is the liberty so inviolable, where is there life or limb secure, from the destroying power of legislative enactments? When I contemplate the interests involved in this question, when my mind dwells upon the great and fundamental principles which its success or failure must destroy or confirm, it is a subject of regret to me that the cause of King's College has not been committed to an older advocate than myself, to an older and more experienced man ; but this I know, although the choice might have fallen upon an older and a more experienced advocate, it could not have been entrusted to one who would have entered upon it with a deeper feeling of interest in the question, than myself. There was a time when the College might have chosen for its Counsel a gentleman, whose transcendant abilities all the Bar of Upper Canada justly acknowledges, and who upon a previous occasion had so ably and so eloquently advocated its cause. But it could no longer do so : his opinions have undergone a change ; he could no longer appear to plead its cause, for he is a member of the Conial (sic) Legislature, and the author of the measure against which it appeals. I have too high an opinion of my profession to suppose that any little paltry consequences springing out of the position of that Hon. gentleman have induced him to change his mind, and to give the weight of the authority of his opinion to the measure ; on the contrary, I feel bound to believe that the new action he has taken in this matter has sprung from a sense of duty and rectitude of purpose. The cause of King's College having been entrusted to my advocacy, I desire on its behalf to give the true history of the original grant and Charter, and the nature and extent of the legislative amendment made thereto, things which I have reason to believe are not generally correctly known. It is well known that long prior to the Foundation of King's College, in the year 1797, an appropriation of lands was made for two purposes ; the first was for the endowment of Grammar Schools, and the second for the establishment of an University. Now, I will ask, had an University been founded at that time upon the provision then made, and a Charter granted thereto, with an endowment from the Crown, would it have been other than a Charter in its character exclusively Church of England? No! every man knows that such would not have been the case - no man will contend that the Charter that would have been given would not have been to all intents and purposes an exclusive Charter, - a Charter in every respect similar to those of the Universities of England. When these lands were set apart it was with the full intention of the Crown that they should be granted as ((an)) endowment to an institution whose Charter was in the same terms as that under which King's College was originally erected. But it has been said that these Grammar School Lands have been changed from the original intention, diverted from the purpose to which it was intended that they should be applied. What are the facts? When in 1825 a Corporation of Upper Canada, called the Canada Company, contracted for the purchase from the Government of the Crown and Clergy Reserves the latter having afterwards been given up by agreement, a difficulty arose in consequence of a large portion of the Crown Reserves being then in lease, and



these leased lands, to the extent of 228,000 acres, were excluded from the sale, either because the Crown did not desire to sell them from under the Lessees, or because the Canada Company did not choose to take them with all the liabilities attached to them, and the trouble that they might have in completing the sale. An application was then made to the Government of the day, that these Crown Reserves might be granted to the University in lieu of the same number of acres of the University and School Lands, which should be retained by the Crown and the Crown having assented to this application, these Crown Reserves were set apart for the University, and the same quantity of the lands previously set apart for the University and Schools was resumed by the Crown, those resumed lands being of very inferior quality, and thereby instead of the Grammar School Lands being diminished in value, they actually received a better quality of land than they were actually entitled to obtain under the original reservation. Upon application these lands were given to the University, and in exchange an equal quantity restored of bad lands in various parts, and the whole endowment applied as at first intended. There can be no question with respect to King's College itself, that when the venerable prelate now at the head of the Diocese of Toronto applied for its Charter of incorporation - and in saying this I believe I shall be borne out by a Member of this Hon. Assembly who was at the time in London - I say that when that venerable prelate applied for that Charter, it was with difficulty obtained, because it was not of a sufficiently exclusive character, because it did not prescribe the taking of the usual tests by students. The Government of the day and the Archbishop of Canterbury considered that it was not restrictive enough, and they wanted the tests to be introduced into the Charter. Now, then, if this was the case, if instead of the Church of England desiring to impose the tests and restriction before existing, the Archdeacon of York had pleaded with the Crown to grant this Charter without these restrictive clauses, and with difficulty obtained it as a concession from the Government - how, then, can it be said that the Church of England wishes to impose restrictions upon learning, that she wishes to cramp it by the operation of her religious observances, and to confine University education to youth who acknowledge her doctrine, alone. And let it be remembered that this was the first instance in which a Charter of such a liberal character had been granted by the British Government - it was the first instance in which a Charter given by the Crown, and endowed by the Crown, had been granted without these restrictive tests. I would ask any one to point out where is the Charter granted in any Colony which is not of a Church of England character? I would ask, who can point out a single instance in which that character was not conferred upon the Institution so founded - a single instance in which those restrictions were abandoned, until conceded to the Charter of King's College? Let the Colleges of Nova Scotia, of New Brunswick, of the Bahamas, of Calcutta, be referred to, and all will be found to be Church of England Institutions. How, then, can it be said, that attempts have been made to give this Institution a character it was not intended to possess - how, then can it be said that fraud or deception has been practised to obtain the exclusive use of its benefits to the Members of the Church of England,

when it is shown that of every like Institution incorporated up to the time that it received its Charter, the same exclusion was made a vital portion of its character, and in no one instance, has it been done away with. It is true, that this Charter, divested of the usual restrictions, was made the foundation of others, and for the second time another College was established without them. To apply myself to the charge of fraud or misrepresentation, said to have been practised by those who obtained the Charter of King's College, which is the first point which now demands my attention - how can it be said with any show of truth or reason, that either fraud or misrepresentation was used to obtain the Charter of King's College as it stood, when it is known that prior to it there is not an instance of a Charter having been granted without an exclusive Church of England character. Then, in what position is King's College placed by this Bill? Is it nothing that at this late period of the Session, a Bill should be introduced to destroy that institution, to despoil it of its liberties and privileges, to take away and to distribute its endowment, without a copy of that Bill having been officially sent up to the College, for at the time I left Toronto, no such copy had been received there? Is it too much to say that the College has been taken by surprise when it had no other guide but public rumour in judging of the nature of this measure, and was not able to put into my hands a brief founded upon the provisions of this Bill? Is it too much for it to ask, when on this account it pleads for delay - when it pleads for delay because it believes that every Member of the Church of England looks upon this university as now constituted as an established right - because it believes that this Bill is no more satisfactory to other denominations than it is to the Church of England. Is it then, I say, too much for me to ask for delay for this Session, that when next this Honorable body shall assemble, that table may groan under the weight of petitions from the East and from the West, from the North and from the South, against this measure? Is it too much for me to ask, when I declare that those petitions will receive the signatures of 20,000 inhabitants of Upper Canada at least, the signatures of men not confined to the Church of England, but Roman Catholic, Methodists, Unitarians, aye and even Presbyterians too? The Council of King's College felt deeply the manner in which it had been treated, in respect of a measure affecting its existence, and have placed in my hands a series of Resolutions embodying their feelings upon the subject of the proposed alteration, or rather destruction of its Charter, directing me to read them in your Honorable House, as a protest against this Bill, that it may not again be said that it consented to the surrender of its Charter, and because it cannot consent to any Legislative interference. It complains of the way in which it has been treated in this matter, when no official notice was given to the Corporation of the College that it was the intention of the Government to introduce a Bill of this nature, this Session; and it protests against this oppressive and violent spoliation, for I, as an Advocate, must call things by their right names, and I should detract from the honour of my profession if I

did not, and spoliation is the right name for this act. On account of its not having received that notice which was its due, from the Administration, in an assembly of its Council, an assembly not confined to Members of the Church of England, it passed these Resolutions, which I shall now proceed to read to this Honourable House : -

"Whereas the College Council have within two days been put in possession (not officially), of three bills, which are stated to have been already introduced into the Legislative Assembly, by one of which it is among other things proposed to be enacted that "notwithstanding any thing contained in the Charter of the University of King's College, the said College shall not hereafter have, exercise, or enjoy, any of the rights, powers, and privileges of an University, or hold any convocation, or confer any degrees." And by another of the said bills, it is proposed to be enacted that there shall be erected and established at or near the City of Toronto, an University to be called the "University of Upper Canada," with power to "confer degrees," but from which the authority is to be expressly withheld of "passing any statute, rule, or regulation for religious observances by the Students of the said University." And by the other of the said bills it is proposed to be enacted "that as soon as the intended new University shall be established, all and every the (sic) land and other real estate and effects which have been granted by the Crown to King's College, and all monies, debentures, and securities for money of what nature or kind soever, arising from the sale or rental of any lands so granted as aforesaid, or purchased or procured or taken by, for, or through the means of any such lands, on any sale or leasing thereof, or for the security of any debt due to the said University of King's College now in its possession or to which the said King's College is legally or equitably entitled, shall be vested in and become the property of the University of Upper Canada" -

Resolved 1. That this remarkable project of transferring from the Corporation created by the Crown all the property to which it is legally or equitably entitled, to another corporation to be created by the Colonial legislature, seems to be founded upon an assumption that by allowing the colonial legislature (most unwisely as the event has proved) to make a few alterations in the Royal Charter chiefly for the purpose of dispensing with tests which are only matters of positive regulation in regard to discipline, the identity of the College has been destroyed, so that its estates have become common property and may be applied to the support of any other institution.

2. That such an assumption is as clearly contrary to law as it is to reason and justice.

3. That considering that the privileges which it is thus proposed to abolish, were conferred upon King's College by a Royal Charter under the great Seal of England - that they have not been in any manner abused, and that no allegation of the kind has been made the ground of these measures ; considering that the property which is thus to be torn from its lawful possessors, was granted to King's College by his late Majesty King George the Fourth, by letters patent such as form the foundation of every man's title to real estate in Upper Canada ; considering also that



the representative of the Crown in this province is, by the Royal Charter, Chancellor of the University of King's College, we cannot but think that we might have reasonably looked to the law officer of the Crown for the most strenuous support in opposing measures so directly repugnant to the royal grants as those of which he has consented to be the introducer.

4. That what aggravates if it be possible the injustice of the proposed measures is the extraordinary circumstance, that while by these Bills it is proposed to leave Queen's College and Victoria College the option of retaining all the privileges of their Charters, of surrendering them in their desertion and of attaching themselves to the intended new University, no such option is to be afforded to King's College, which is to be stripped peremptorily and at once of all the privileges and property which it enjoys under its Charter.

5. That except by a short and imperfect memorandum communicated to two of its members, which they were not at liberty to notice or to make the ground of any discussion or proceeding, no opportunity whatever has been afforded to the Council of knowing, still less of addressing themselves officially to the Government in respect to these measures which seem to have been deliberately resolved upon, for annihilating the privileges of the College and depriving the corporation of the property.

6. That upon whatever consideration the government at (sic) this Province may have thought it right to deny to the Corporation, the protection of those legal principles, to which other corporations throughout the British dominions owe to (sic) the security of their rights and property, it is in our opinion the duty of the college council to contend to the utmost against measures, which they believe to be unsanctioned by any precedent or authority - that if it shall become necessary they will appeal for the purpose to the government in England - and will pursue every legal remedy within their power to the last resort - feeling a strong assurance, that when the subject comes to be calmly discussed and clearly understood both the love of justice and the fear of consequences must lead to the admission that those legal and constitutional principles which are every where essential to the security of property can no more be withheld from King's College than from other corporations.

But if at the last it shall appear that the intended destruction of the rights of the corporation, which we represent, must be successful, (which we do not think possible,) we shall, at the least, have the consolation of having done our duty in resisting measures such as we believe will have been up to that time wholly without example, but to which cupidity and love of change when found to be unfettered by any legal restrictions will render it difficult hereafter to set bounds.

I read these resolutions, that it may not be said hereafter that the Corporation of King's College had not protested against the Bill in the strongest manner - that the members of the honourable body may not be able to say that it did not to the utmost of its power protest against this high - handed act of spoliation, because it only sent counsel to appeal against it. The Council of King's College desire that this record



of their opinion shall be handed down to posterity, that there shall be nothing found in their acts by which a neglect of duty can be charged against them, - that there may be nothing implied from any act left undone that they have surrendered in one tittle the trust placed in their hands. It has been for years an established principle of constitutional law, that the Crown, having once granted a charter, has not at any future period a right to interfere therewith, to demand any alteration of its provisions, or to dictate any new method in its management. This was a principle fully admitted during the reign of Edward III, and was then old and established beyond a doubt. It is admitted that with respect to such corporations as require the aid of Parliament for the creation of some of their powers, the principle is different, and were the King's College placed in that position its case would be altered as regards immunity from all interference. It is well known, for I believe that every member of this honourable House has seen the able speech delivered before this branch of the Legislature, by the learned counsel entrusted with the defence of the rights of King's College, at the ((1))ast parliament in Upper Canada ; it is well known, I say, that in no other instance but this, has a charter of this nature, granted by the Crown, been attempted to be interfered with by any other power than the Crown itself. It is well known that the ((f))ranchise, such as is given to corporations, must proceed from the Crown alone. It is well known that the Imperial Parliament has not within itself the power to erect an university, therefore is the Crown, and the Crown alone, the proper authority to seek any amendment or alteration in a covenant in the first place made between that corporation and the Crown. And why is it so - why is it that the Crown alone can create a university? Because the Crown is the fountain of honours, and degrees conferred by Universities being honours, therefore it is necessary that the charters of all institutions, conferring that which is a portion of its prerogative, should proceed from the Crown. There is no doubt that the Crown can refuse to consent to any measure contrary to the prerogative, but in these enlightened days it seldom interferes, unless the measure submitted for its sanction is one which entrenches upon the power of the Sovereign. But it is laid down in every book upon Constitutional Law that the Crown can refuse to consent when it thinks fit. It is known that in the Imperial Parliament the Sovereign can, without reproach refuse to assent to any measure which attacks or abridges the prerogative ; and if it is so in the Imperial Parliament, how much the more so is it here in a Colonial Legislature. But the Crown has no more right to take away a right once granted, than an individual has to recall a gift given and accepted. By the granting of a charter, the Crown has pledged its faith upon its inviolability, and it cannot, at any future period, draw back - its (sic) has guaranteed the enjoyment of certain rights and privileges to the holders, and it can never take them away without their consent. When once a charter has been granted, the Crown, being the granter, cannot recall that gift : but it can, if the Corporation require it, grant another, which, however, the latter is not bound to receive ; it may refuse it altogether, if it thinks proper, or it may receive that portion

of it which accords with its views and reject the rest. If that is the case - and that ... it is the law, none will deny, for it has been clearly and explicitly laid down by Lords Mansfield and Kenyon, and others of the ablest interpreters of the laws of England - in what position does King's College stand? It may be asked why I desire to show that the granting of a second Charter does not destroy the first ; that its acceptance is not compulsory, and that it may be in part accepted and in part refused. I answer that it is because I wish to prove that the Charter first granted to King's College was not entirely abrogated by the amendments made therein by the Provincial Legislature, but that those amendments subsequently made might be in part accepted and in part refused. If chartered Corporations have the power to accept and refuse so much of the amendments made to the original covenant as they think fit - and that is a point which, it must be admitted, is clearly established - are there not many acts done by the University of King's College, which I might contend, in absence of evidence to the contrary, would prove that they did not receive in whole the amendments made by the Legislature. The Charter of King's College, as originally granted, provided that there should be therein a Professor of Divinity who should be a member of the Church of England, and who should subscribe the articles and tests of the University of Oxford - that that Professor should confer only those degrees in Divinity which he could confer upon members of his own Church subscribing in like manner. But the amendment of 1837 established a different principle entirely; it said that no religious test should be required of students, or those admitted to take degrees. What is the case as respects the Professorship of Divinity, and the religious observances in that College? Has there been one single act done, or is there any proof to show that it accepted this portion of the amendment. No, if it desired to take this ground, there is nothing to declare that it did accept it, and, therefore, it could not now be brought under its provisions if it still refused to receive it. How, then, does the College stand as regards the law, in the absence of proof of the acceptance of the whole amended Charter? Its original Charter is not destroyed by the modifications of the second, and the amendments of the second can only be applied to it so far as they have been accepted, it being left optional with the Corporation to receive such parts as it pleased, and those only ; and abundant evidence might then perhaps be adduced to show that King's College has not accepted that portion of the amendment to which I have just now referred. Does it appear that they have adopted that part which says there shall be no longer any religious test administered? No! Does it appear that they have adopted that part which provides that degrees in Divinity may be conferred upon others than those subscribing the doctrines of the Church of England? No! I may contend that the religious observances of the Institution, and its proceedings, stamped it to be a Church of England University. I may contend that it is not changed ; that the alterations presented by the Statute of Amendment were not received, were not acted upon, were not acknowledged ; but that from the time when it was

first created until now, it has been, and still is, in every deed a Church of England University. The Professor of Divinity is now a Professor of the Church of England, and if degrees were conferred would they not be conferred on those alone who subscribe to the articles and take the tests prescribed by that Church? Therefore, in the absence of such evidence, I might hold it to be proved, that, in its power to do so, in so much has the College rejected the amendments of the Legislature, and that it has accepted them in so much only as it has acted up to their provisions. And shall it now be said that it is to be deprived of all its rights, stripped of its endowments, and placed in the extraordinary and humiliating position which this Bill aims to place it, upon the plea that its acceptance of these amendments has justified the course, when I have been able to contend that there is no evidence whatever that these amendments have been all received? Yes, I ask, is this to be done under the plea that it is an act of kindness, that it is a work of mercy, that it is all for its benefit? - what! all for its good, when its privileges are gone? - what! all for its benefit, when its endowment is taken away and parcelled out? Meet me upon the highway, and, having robbed me of my purse, leave me to get through a foreign land without it, and then tell me that it is an act of charity, then try to persuade me that it is all for my own good? If the law in Canada is the same as in England, it is established that the original Charter was not destroyed by the amended one ; that the College was not bound to receive the amended Charter, as a whole ; and that there is no proof that it did receive it. Now, let us turn to another country, a country on the same hemisphere, but now under different institutions to our own - let us turn to the United States of America, and learn how chartered grants made by the Crown of Great Britain, when that country was one of its colonies, were treated by the Crown itself. Do we not know that many grants of land were made in the then British Colonies, and many Charters granted for Proprietary Governments therein? In these covenants between the Crown and the grantee, there were certain conditions made as well as a property granted, and, therefore, in failure of the Acts covenanted to be done by the grantee, such grants may be looked upon as subject to the same treatment as Corporate institutions whose Charters were forfeited by nonuser, or abuse. And do we not know that cases did arise in which the Crown was called upon to interfere in consequence of the misuser of these grants, but that it had no authority to destroy the Charter without judgment having been first rendered against it upon a prosecution for noncomformance with its covenants? Do we not know that even when judgment was rendered against the Charter, and by that judgment it ceased to exist yet the Crown did in no instance proceed one step further - that it never exercised its authority to take away the property, although that property was granted by the Crown in consideration of the performance of the service, the sentence of forfeiture against the Charter declared to have been unfulfilled? I say, if this can be shown from History - if I can prove



that such has been the law as acknowledged by some of the greatest and most learned Crown officers of Great Britain, and that it has, in every case been fully acted up to - If I can prove this, I say, who can point out why a new law and a new practice is to be made for King's College? If it can be shown that the Crown has not exercised the power of resuming a grant thus made, and thus forfeited ; that it has not the power to take away a Charter given without a judicial judgment, rendered against the holder upon a specific accusation, surely the Legislature can have no authority to assume a higher prerogative - surely this is a strong reason why it should not interfere at this time? A proprietary Charter was granted to Lord Baltimore upon certain conditions, the Crown subsequently found that these conditions were neglected, that the powers conferred by the Charter were not exercised according to its provisions, but most shamefully abused. Under these circumstances let me ask, did it take away the Charter by a summary process? Did it by a Legislative Act step in between its own Act and the grantee, and destroying the first, strip the latter of his grant? No, it was not so ; but specific charges were made against Lord Baltimore, those accusations were preferred in a judicial court, judgments were obtained upon them, and the Civil Government conferred by the Charter upon his Lordship, was taken away by the course of law. But although the Government was taken away for misuser and non-fulfillment of the covenants upon which it and the grant of land attached thereto were obtained - although the Charter itself was revoked and destroyed, yet the land was not resumed, but still remained vested in the grantee as securely as though his Charter still existed, and all its covenants had been fulfilled. Such was the manner that the Crown in those days regarded the rights which it had conferred by its grants, such was the sacred character placed upon the grants of its Charters, that it acknowledged that its further interference would be contrary to law, and jealous of its own rights, it was still more jealous of the rights of its subjects, and it never so much as pretended that it had the power to take back an endowment, when once it was granted without the consent of the grantee. Then, I say, are not these things proved - that the Crown can not take away a Charter without a judgment ; that even in cases where that judgment has been rendered, it has not recalled or divested the right of property granted, though it has resumed the right of Government ; and that the Crown cannot after having once conferred a Charter force a second upon the grantee, but must leave him free to accept or reject it in part or whole, as he may think fit. If the Crown after the granting of any one Charter shall confer a second upon the Corporation, and they shall find therein something new, some advantageous privilege or greater immunity than was bestowed by the first, they may accept it in so far as relates to that single provision; or if they find nothing therein to complain against, they may accept it as a whole ; but the acceptance of this second Charter in nowise destroys the operation or power of the first, but is an addition thereto. In this manner, it is well known that in England there exist Corporations holding their rights under more than a dozen Char-



ters, granted under different Sovereigns, and each conferring some new privilege, or to meet some new emergency, and yet all these Charters have been accepted without the one destroying the authority of another. Therefore the granting of the amended Charter of King's College, did not annul the original, nor did it take away its powers ; the Act of 1837, on the contrary, acknowledges that Charter, and acknowledging it acts upon it by reciting it. The Act of 1837 never pretended to take away the original Charter, but it professed to be an amendment of it ; and I have contended in so far as those amendments shall be provided to have been accepted by the Corporation of King's College, in so far as it received them - thus far and no farther does their effect go. That Act, as regards the Corporation of King's College, stands in the same position as ((if)) it were a new Charter granted by the Crown, and as the Crown had not the power to force a new Charter upon the University against its will, so has not the Legislature authority to compel its acceptance of those amendments in a greater degree than the College thinks fit to comply. Might I not urge that the Corporation of King's College has not accepted the amended Charter as a whole ; - might I not urge that it has been brought as an accusation against it, that the University has never been divested of its character as a Church of England Institution, retaining to this time its Divinity Professorship in the same manner as it was entitled to do under its original Charter, although it cannot but be admitted by all parties that it is open for the education of the youth of all denominations of Christians in the Province. Then, I say if the Crown had not the power to force these amendments upon the College, surely the Colonial Legislature has not? If it is unjust in the Crown to interfere in its endowment - if it is contrary to law for it to strip it of its property - surely it is not just or legal for a Colonial Legislature to do so. It was determined in Sir James Smith's case, reported in 4. mod. 52, that the Corporation of London was not dissolved by the judgment as recited in the Act of 2d. W. and M., Stat. 4. ch.8, which was "that the liberty, franchise, and privilege of the city of London, being a body politic, and should be seized," for the word "of" being omitted before the word "being", the judgment was not against the corporate existence of this city, but against the franchises it enjoyed, and Holt said, that a corporation might still exist after its franchises were taken away, for that these were not essential to it, but only a privilege appertaining to it. The primary judgment passed upon a Corporation for abuse is that its rights, liberties, immunities, and properties be seized 'til further ordered ; and the final judgment is that they be seized into the King's hands ; but so jealous is the English Legislature of privileges and grants, that in consequence of their error it declared the judgment to extend no further than to strip the Corporation of its franchise, and still showed it to exist in every other respect. How, then, can this Hon. House lay claim to an omnipotence which the superior Legislature, which by its Act created this, never assumed? How is it possible that a Colonial Legislature can claim to exercise a higher authority in this matter than that which gave it existence, and which has the power by its Act at any time to dissolve it. The Imperial Parliament theoretically is omnipotent, but it does not

turn its power against the law. The Colonial Legislature has power, only over such matters as are committed to it by its constitution, and yet it would now arrogate an authority equal to that of the Imperial Parliament, and greater than that of the King himself. If this Colonial Legislature passes an Act which militates against the Statutes of the Imperial Parliament, that Act is void by the provisions of the constitution which gave both to the Colonial Legislature. The Colonial Legislature has power to make such loans as are not repugnant to the Imperial Statute by which it was called into existence ; and such is the constitution under which this House holds its rights, that any law which it may pass that is contrary to the provisions of the Act of Union, or of any Act of the Imperial Parliament which refers expressly or by intendment to Upper or Lower Canada, becomes null, void, and of no effect. And, I would ask, is there not something in this Bill for the destruction of King's College, and the destruction of its property, which touches upon a law of England, which contravenes its very spirit, aye, which strikes at the root of one of the fundamental principles of the British Constitution. The Act of Union provides that all those laws of England which by necessary intendment applied to either Upper or Lower Canada prior to the passage of that Act, shall still continue in force. And, I ask the Members of this Hon. House - I appeal to you whether there is not something in the provisions of Magna Charta which by necessary intendment applied to Upper and Lower Canada prior to the Union, although they did not exist as dependencies of England when that Charter was given, and which has been perpetuated by that Act? I ask whether the stipulations of Magna Charta, that no man shall be dis-seized of his liberties, lands, or tenements, without trial in due course of law, were not in force in Canada prior to the Union, and are they not now existing? Is it possible that it shall be said that the subjects of the British Crown in Canada are not entitled to the same privileges - are not possessed of the same liberties - are not guarded by the same immunities that British subjects are in other dependencies of the Empire? But if, as I have said, if British subjects in this Colony are clothed with all the rights possessed by those in the Mother Country, then I say that this Bill is an act in contravention of one of the great principles of Magna Charta, that it is one of those Acts which, militating against the laws of Imperial Parliament, is declared by the Act which creates this Assembly to be null, void, and of none (sic) effect. The 46th section of the Union Act declares that all laws then in force in Upper and Lower Canada, which have not been expressly repealed or varied by any Act of the Legislature of Canada, shall, to all intents and purposes, continue to subsist. But was there not, prior to the Union Act, any law other than the application by necessary intendment of Magna Charta, which bears upon this question? Yes! there was ; the first Act passed in Upper Canada, in the year 1792, declares that in all matters of controversy relative to property and civil rights, resort should be had to the English laws as they then stood, for the rule of decision, and one of those laws was that

provision of Magna Charta which laid down that no man should be disseized of his liberty, lands, or tenements, without trial according to law. Then is Magna Charta clearly one of those laws perpetuated by the 46th section of the Act of Union, and therefore I say that the Bill before this Honorable Assembly is one which it cannot pass, because it is unconstitutional - because it is in express contravention of an existing law, and contrary to the provisions of that Act of the Imperial Parliament which created this Honorable Body. This I hold to be the correct view of the case, based upon laws all affirming each other. Now let me look at this Act, which has been brought forward at so late a period, and which is sought to be carried through the Legislature ; - let us look at this Act in its true character - is it a legislative Act, is it an Act which it is competent to a simply legislative body to perfect as such? No, it is no legislative Act, but a judicial Act, an Act enforcing all the authorities of a judicature, for can it be said that an Act which forfeits lands - which takes away rights, liberties, and immunities - destroying an University, is not a judicial Act. If, then, it is a judicial Act, and I contend that such it is to all intents and purposes, why has it not been preceded by all the forms that would have been observed by a judicial body? I would ask in what manner would a Court of Law have proceeded in such a case ; would it have required no testimony? - would it have made no inquiry? - but, taking the truth of every accusation for granted, declared the rights of the College to be forfeited; or, upon the motion of one party, decided against the other, destroyed his privileges and taken away his property without due process? No! in a Court of Law, no such steps would be taken, no such high-handed and oppressive acts would be tolerated ; and, therefore, if this House desired to act in a judicial capacity, it surely ought to proceed in the same manner, and with the same forms that would be observed in a Court of Law. Then ought a charge to have been brought against the University by Her Majesty's Attorney General, and the abuses and misuser of the charter proved, then, if this House has any power to proceed in such matters, it would have done so on some grounds; and would not be, as now, found laying itself open to the charge of attempting to deprive a chartered Institution of its rights, its property, its very existence, without an accusation against it, without one crime laid to its charge, not to say proved against it. If it was as it has been said that this charter had been obtained by misrepresentation, that the Crown had been deceived at the time it granted it, if the matter had not been in the beginning properly stated, there were two ways open, legal and constitutional ways, by which a remedy could be obtained : - either by petition to the Crown, or by a writ of scieri facias. Then, if it were found that there was nothing against the charter, but that it had been obtained by surprise and improper means, the judgment of a court of law would be, that the grant should be repealed. These two ways were open to the opponents of the College, and by either of them, had there been good cause, its charter might have been destroyed, or resumed by the Crown, and it is clear that these legal and constitutional means not having been taken by the Legislature, it cannot now, with any show of justice, attempt to effect it by worse means. It may be pretended that this corporation may be dealt with in the same manner as a public corporation, and that therefore the Legislature has a right to interfere with



its charter, because, although chartered by the Crown, it was endowed with public lands. But I contend that the Corporation of King's College is a lay eleemosynary corporation, and although it grants degrees, that circumstance does not alter its position ; and it is still in every respect one over which the public can exercise no control. It is clear that a private individual could found a college, endow it, and upon that foundation and endowment, obtain a charter as unrestrained as the most liberal can desire; that college might open its doors to admit persons of all denominations, and such a corporation would undoubtedly be a benefit to the public ; and the charter obtained on this foundation might commence in the same manner as the preamble of the charter of King's College. But could it be said that because it was open to all denominations, without reference to sect or religion, that the Legislature of England could call it a public institution, and would presume to deal with it accordingly? Would it not be contended that any act of legislation thereupon would be an interference with private rights, and contrary to every just and equitable principle? Would not the interference of the Legislature in such a case be scouted ; and what is the difference between that case and the one before this honourable House? In this case, the Crown has granted the lands which form the endowment ; but does that grant make the institution more a public one than if the grant had been made by a private individual? Is there a single law which can be pointed out - is there a single existing principle in the British Constitution, upon which it can be said to do so. Has not the Crown a right to take its property and give it to individuals? Do not all who hold lands in this Province, hold them under a grant from the Crown? And if the Legislature has a right to deal with grants of lands to Universities, why has it not the right to interfere with those made to private individuals? Will it be said that in the magnitude of the grant, consists the difference - is it to be pretended that the rule which obtains in great matters, does not apply to small? Then why are not the Townships of Dumfries, of Molton, and of Woolwich, consisting in the whole of 90,000 acres, granted to three individuals - why then, I say, are not these lands resumed? In the township of Woolwich 25,000 acres still stand in the name of the original grantee - why are they not taken back, and applied to public purposes, to the making of roads and the building of bridges? Why is not the same course pursued with what remains unalienated of the Townships of Molton and Dumfries? If lands are to be resumed here, why are they not resumed there? The same principle which applies to 280,000 acres, must apply to 20 ; the same law must govern all, much or little ; and then every man's title to his property will depend upon the will of the Legislature if it is required for what it conceives to be the public use. The moment that the Charter and endowment was given to King's College, that moment were all its rights, immunities, powers, and privileges entitled to the same protection as if they had been conferred upon a College founded by a private individual. In what respect can it be called a public Institution and subject to the control and preference of the Legislature? Are its Professors, its corporation or governing body accountable to the Legislature in any manner? No! there is no way in which it can be said to be a public



Institution, but it is entitled to all the privileges and protection of a private Corporation. By the statute 43rd of Elizabeth, chap.4, Colleges are enumerated among the charities declared by that Act. And Lord Hardwick has laid down "that the charter of the crown cannot make a charity more or less public, but only more permanent than it would otherwise be ;" therefore it is clear that the possession of a Charter does not make this institution more public, or more liable to legislation ; but in its position as a lay eleemosynary Corporation, it is as private as a Corporation chartered on the endowment of a private individual. The same doctrine had been decided with respect to St. Catherine's Hall College, which was declared to be a charity within the Statute of Elizabeth. We know that, prior to the revolt of the American Colonies, there existed in them many institutions chartered and endowed by the Crown ; and we also know that, after the United States became independent, these grants came up before the State Legislatures and the Supreme Courts of that country ; we ought, therefore, to look into these matters, and see in what manner grants made by the Crown were treated after the dominion of that Crown had passed away ; and if, upon searching into them, we shall find them respected - if we shall find, instead of being diverted from their original purposes, that they were held inviolable, and solemnly confirmed - how much the more ought we in this, which is still, and which I trust will ever be, a British Colony, to respect and conserve them? If we find that the Legislature did attempt to interfere, but that the Judicial authority declared that interference to be unconstitutional - how much the more ought we to hope that the Legislature of a British Colony will not persist in this high-handed measure? If it has been declared unconstitutional in a revolted Province, when attempted to be applied to institutions chartered by a Sovereign, every vestige of whose power, it may be fairly presumed, the inhabitants were anxious to destroy ; how much the more is it incumbent upon this Honourable House to pause before it gives its sanction to an Act which the Judiciary of revolted America, in a spirit of justice worthy of imitation, refused to allow. And such has been the case, not in one or two instances, but again and again the Courts of the United States have been found refusing to allow any interference with rights and property granted by Charter from the Crown of Great Britain. And when these Charters were contrary to the genius of the United States, in cases where (sic) the grants were contrary to the spirit of its institutions, do we find a different course pursued? No! On the contrary, the same rule was applied to all, the same principle ruled every case. In one instance, a grant was made by the Crown of glebe lands for the support of Protestant Episcopal Clergy in North Carolina ; after the Revolution, that grant was attacked by the Legislature, the case was submitted to a Judicial tribunal, and by a judgment of the Court it was confirmed for ever. In another instance, a Charter was granted by the Crown to a University endowed in part by the State ; after the Revolution the State desired to interfere and to revoke the Charter, and an Act was passed for that purpose, but the Judiciary declared it to be unconstitutional and void. In that case the Char-

ter granted by the Crown was respected, although part of the endowment was given by the State, and not all by the Colony under which it originated. What stronger evidence can be required, what more conclusive precedents than these two cases? The one was a grant of glebe lands for the support of Protestant Episcopalian Clergymen, and the other a University ; and yet in a country which loves not Great Britain, in a country which had just revolted from her dominion, the Charters granted by her Sovereign were declared to be inviolable, and the rights established by the Crown were perpetuated, after its allegiance to that Crown was renounced. Shall it be said, when the King's Charter was respected under such circumstances, that here, where we believe that we enjoy all the rights of British subjects, the Royal Charter shall be taken away and destroyed, all the rights it conferred be trampled upon, and all its immunities dashed to the earth? Surely it shall not be said, when Charters of the Crown which a Revolution could not sweep away, even in matters of religion, were respected in a country which, in a treaty with Tripoli in 1797, declared that its government was not founded upon the Christian religion, and that it had not in itself any character of enmity to the laws or religion of the Mahomedan (sic) - surely it shall not be said that here, in a Christian country, in a land boasting Monarchical Institutions, a Royal Charter was destroyed? Let it not be said that in a country revolted from the Crown of England, the King's Charter is respected, and the institutions created by it still exist ; while in a Province of the British Empire they are swept away. Surely it cannot be argued that when it was allowed to remain inviolate in the one case, it ought to be taken away in the other - ? Surely it cannot be said that when it was conserved in a country whose institutions were contrary to its existence, that here it should be taken away when its terms are as broad, when the preamble and the very clauses of the College of New Hampshire, and that now sought to be destroyed are almost identical? Let Hon. gentlemen compare the two together, and then point out the disparity ; there is no difference in sense if there is in sound, there is no variation in substance, although there is in words. The New Hampshire Charter recites, "that considering that the best means of education be established in our Province of New Hampshire, for the benefit of said Province," the King's College Charter declares, "that whereas the establishment of a College within our Province of Upper Canada in North America, for the education of youth in the Christian Religion, and for their instruction in the various branches of science and literature which are taught in our Universities in this Kingdom, would greatly conduce to the welfare of our said Province." The cases of the College of New Hampshire preserved in all its rights by a revolted people, and that of King's College sought to be annihilated by a Colonial Legislature are in substance the same. A portion of the lands for the endowment of the former were granted by Vermont in 1785, and were of great value, and others were granted by New Hampshire in 1789 and 1807, and were also of great value. We find, therefore, in the two Charters, two things which are identical, the preamble and the grants of land ; where then lies the difference between the

two cases? And yet the Legislature of New Hampshire desiring to interfere, adopted the same language as is made use of in the Bill for the same purpose now before this Hon. House. It would, indeed, appear that the Legislature of this colony are attempting to act upon a Bill taken from there, and which was there declared to be unconstitutional. There is also another point of resemblance, the Legislature of New Hampshire was not contented with one Bill, but it brought forward three ; but how were those Bills received? The case was argued by Mr. Webster, one of the greatest lawyers in the United States, before Chief Justice Marshall and Judge Storey, the latter of whom is the author of several standard works of legal literature, books which are received as authorities in England, and quoted as such by the Judges upon the Bench - and what was the judgment which was given by two of the most eminent Judges of the United States - what was the law which they laid down upon the occasion : -

"The Government has no power to revoke a grant even of its own funds, when given to a private person, or a corporation for special uses. It cannot recall its own endowment when granted to any hospital, or college, or city, or town, for the use of such corporation. It is perfectly clear that any act of a legislature which takes away powers or franchises vested by its charter in a private corporation, or its corporate officers, or which restrains or controls the legitimate exercise of them, or transfers them to other persons without its consent, is a violation of the obligations of that charter. If the Legislature means to claim such an authority, it must be reserved in the grant. The charter of Dartmouth College contains no such reservation ; and I am, therefore, bound to declare, that the Acts of the Legislature of New Hampshire, now in question, do impair the obligations of that charter, and are, consequently, unconstitutional and void."

If the Judiciary of the United States refused to allow any interference by the Legislature, in a charter granted by the Crown to a College, when that country was a Colony of England, that is a strong argument to use before a British House of Assembly - before the Assembly of a colony still belonging to Great Britain, why no legislation should be allowed upon it here. Surely it will not be said that I have nothing to rest upon when I bring forward a judgment pronounced upon chartered rights granted by the Crown half a century before they were impeached, and then declared to be still subsisting, as strongly, as fully as ever, although the dominion of the Crown which granted them had passed away. If it be a strong argument that a grant from the Crown has been respected in a revolted Colony, is it not still stronger when I can show that where a grant of lands was made by the State of North Carolina, and that, too, for religious purposes, an Act afterwards passed by the Legislature of that State, resuming and annulling that grant, was declared to be unconstitutional and void, and that Legislature at once, desirous of paying respect to those who gave expression to the laws, recalled and repealed that Act? When I find a charter granted by a State, and the endowment by the people respected, after a revolution in so great a degree that not only did the judiciary declare



that the Act of Interference of the Legislature of the State was unlawful, but the Legislature itself recalling that Act, passed another declaring all such interference on its own part unconstitutional and void - when I find this, I say, is it not a strong argument in defence of the cause I am now pleading? When I look upon these cases, have I not a right to ask a British Legislature not to interfere with property and privileges which the Legislature of the United States preserved even after its allegiance was destroyed. Have I not a right to ask that it will not be done here, even to quiet the popular cry ; because it is better, if wrong has been done and injury felt, that both should be endured rather than this high-handed measure should be allowed to destroy that given by the Crown - rather than that our faith in the Crown should be shaken. Who are they who cry so loud for this spoliation? - who are they? - and what has been their conduct in other lands? This measure is called one of State necessity, that is the tyrant's plea, the plea made use of by Mr. Fox, when he brought in his celebrated bill to destroy the charter of the East India Company. He gave three reasons for that measure : that the charter conferred political power upon the Company - surely there is none contained in this ; that it had abused its powers, and therefore that it ought to be forfeited - is it pretended that it is so in this case? If it is, there is no allegation of the kind ; and that a great and overruling State necessity justified its destruction. That the charter did confer political power is certain, for it gave the Company the government of the countries it acquired ; that it had been abused was probable, but the great reason for the spoliation was that which is urged in the present case, an overruling state necessity. But did the Parliament of England admit this mighty argument - did the Parliament of Great Britain bow down to this overruling state necessity? Did this bill, which was intended to destroy the charter of the East India Company, then so great, with an empire then extending so far, and now still farther - become a law? No! it was rejected, it was thrown out, and the strongest argument used against it was, that it was an interference with vested rights, with rights upon which large sums of money had been expended, and which in good faith ought to be preserved, and therefore the Legislature had no power to interfere with, unless with the consent of the Company itself. And though all the reasons given for its destruction were probably true, yet that bill did not become a law. And at length when a bill was brought in by Mr. Pitt to change the charter of that Company, it was with the solemn consent of the Company to abide by its provisions, and to accept it instead of the Charter under which it was then acting. The principle was there again established, that there could be no interference on the part of the Legislature without the sanction of the Corporation, although that Corporation possessed political powers such as were never before possessed by any Company, and greater than will be possessed by another, although it was accused of having abused those powers, and although there was an overruling State necessity for the change. How then can we be now told of a state necessity for a measure like this, in a case where it cannot be applied



with the same show of reason as to the India Company? It is the vox populi Dei - no it is not so, the vox populi here has nothing to do with the vox Dei. We are told that the Members of the Church of Scotland require this alteration - we are told that the Dissenters require this change - we are told that they will be satisfied if something is done for the settlement of this question, but we are not told that they will be satisfied with this Bill. I believe that they are not satisfied with it. We are told that wanting this change, they have a right to cry out for it. Let us look where they have themselves been interfered with in other lands, and let us see how they have borne the interference. We hear that they declare that King's College is exclusive, and must be thrown open without reference to religion, and if it were exclusive, which it is not, let us see how they acted in other land(s) in like circumstances. A bequest was left by Lady Hewley for the benefit of, amongst other things, the poor preachers of Christ's Holy Gospel, which was assumed by the Dissenters. But the Unitarians were not satisfied with the disposition of the property, and considered that by the declaration in Lady Hewley's will they were entitled to participate in the benefits of the charity as preachers of Christ's Gospel. They obtained it, and contriving to command a majority in the management, held it for 150 years. It might be presumed that having retained possession of it for so long a period, that long usage would almost have given the sanction of law to that possession. But the Dissenters were not satisfied with their possessing it longer than 150 years ; they thought that a century and a half's possession of the good things of the Charity was quite enough, and they filed a Bill in Chancery against them. The matter came up for decision, and was given in favour of the Dissenters. In spite of the cry of liberty, they were not deterred from pursuing their legal remedy to the last, and the result was that they turned out those whom they declared to be interlopers. And these are they who cry out against the exclusiveness of the Church of England - these are they who, with unclean hands, would write Ichabod upon King's College that they may obtain a liberty themselves which they denied to others, and which the institution that they now attack does not in reality deprive them of.

The learned gentleman paused for a moment and then went on to say : -

When the Church of Scotland was attacked, did she suffer her privileges to fall to the ground, or the rights of one particular University to be removed? Did the Universities in the Church of Scotland ever grant bursaries to any except to those who subscribed to the belief of the established Church? No : not a single person could obtain a bursary except he signed a profession of faith according to the views entertained by that community. In Glasgow, alone, could they be obtained without that form, and then only because a private individual had founded scholarships without reference to the Scottish Church. So that, with all this outcry against the exclusive character of the King's College University, the Church of Scotland gave bursaries to none except they were its own supporters. When an attempt had been made to unite the Old Aberdeen College, with the Marshall or New Aberdeen College, the people of Scotland arose as one man and petitioned the Legislature against the proposed measure for altering a constitution which had been given by Royal Charter to those institutions ; and the Im-

perial Legislature refused to do anything against the wishes expressed by the petitions of the Scottish University. It refused, in relation to those institutions, to take the course which the Colonial Legislature was now called upon to adopt, with regard to King's College in this country. Was it ever urged that the Old Aberdeen University ought to be destroyed, or that the Imperial Legislature could have any right to interfere with its privileges, merely because that body received a grant of public money? Was it argued that this public grant made the institution which received it a public institution, and, therefore liable to legislative interference? There was no question that the Parliament of England, being theoretically omnipotent, might have made any alteration it pleased ; but when a bill was brought in for the purpose of making the alterations to which he alluded, it had received the petitions against the measure from the University, and it rejected the bill ; and although the Whig Ministry had introduced it, they were outvoted even by their own supporters. Not satisfied with losing one bill in the Lower House, the supporters of the measure brought another for the same purpose into the House of Lords ; and the Lords also threw it out. He said that they were not satisfied with being defeated in the House of Commons on this measure, but brought a bill into the Upper House also to destroy the privileges of the Scotch Universities. They had made that bill less objectionable than the first, but yet they were signally defeated, and the Ministry, on that occasion, was deserted by its friends and supporters. That was a good example of the Imperial Parliament - it had refused to act against the protest of the Rectorial Court of the Old University of Aberdeen, and against the memorials which were presented by the other Universities. When the Legislature had found that the authorities would not consent to surrender the grant made to them by Royal Charter, what did it do? Did it attempt to force them to do it, or did it make the grant of so many thousands annually a reason for forcing them? No : it did not. Did not the Universities of Cambridge and Oxford receive £3,000 a year each? But was that made a reason for Parliamentary interference? Were they not public institutions much more than the one now under discussion? Yet the Legislature did not interfere with their charter, nor take away their rights, nor level their immunities. No, it never placed itself in such a situation that any corporation or individual could say to it, "You have deprived us of our property by a high-handed and unconstitutional act, and thus made yourself a bye-word among the nations of the earth. You have taken away by law that which you could not have deprived us of with propriety. You have done that by law, which, in the due course of law, you could not have done; and you have given the sanction of law to that which is against law." It appeared, then, that the Presbyterians and Dissenters had both defended their own institutions in cases similar to the present, and they ought not, therefore, to say that the Church of England had not the right to do so too. Those Churches could not turn round and say, that there was a difference between the cases, because the King's College was a public institution, being founded by a grant from the Crown ; because the Universities of Scotland would then be public institutions too, being maintained by grants from Parliament. But, in fact, they were no more so than if a private individual had made a grant to an University. The House was



told, however, that the Crown invited legislation on the subject. It might just as well be said, that a man who had made a deed for the conveyance of a piece of land, had desired some third party to come in and to bring an action of ejectment to turn out the occupant, as that the Crown, having given up property and vested it in these parties was now desirous of further legislation on the subject. Would it not be wrong for the Crown to desire such further legislation? Or was there any proof that it did so desire it, even ((if)) it had the power? He held in his hand two despatches which the honble. Attorney General (West) had laid upon the table, and from which the House was called on to presume that the Crown desired to interfere in this matter. He had, however, always thought, - although, perhaps, the idea was an antiquated one, and inapplicable to these enlightened days, - that when any document of that kind had performed its part, it was so far done with. Now, he thought that the mission of this despatch had been already accomplished, and that it could not have any farther application. It might be seen that these despatches contained orders which had been sent to the Governor before the passing of the Act of 1837, and, therefore, he contended, that their mission had been accomplished, as far as the Crown was concerned. But supposing that was not the case. Supposing it to be right to presume an intention on the part of the Crown to direct the Provincial Parliament in the erection of an Univerity (sic) ; what was it that the despatches said? Did they advise the Government to lay before the Legislature any measure for altering the constitution of the College without the sanction of the Corporation? Or did they advise the Government to introduce a bill to which the Corporation had not given its consent? They said : -

"Under these circumstances, I am to convey through you, to the Members of the Corporation of King's College, the earnest recommendation and advice of His Majesty's Government, and they do forthwith surrender to His Majesty the Charter of King's College of Upper Canada, with any lands which are thus given to that body, in the spirit of the most perfect respect for all the individuals by whom it is composed, will not be disregarded, and it is on that assumption that I proceed to notice the ulterior measures which, upon such a surrender, it will be convenient to adopt."

The advisors of the Crown were not found directing the Governor of the Colony to recommend Parliament to pass a law without reference to King's College, and yet one which would deprive it of its property ; but on the contrary, he was to ask the Corporation voluntarily to surrender its rights. He was to take that step which in such a case clearly ought to be the first. He was to prevail on the University to give up that which the Crown had granted, for the purpose of giving another Charter in lieu. It was a question which he must now bring under the notice of the House, whether this Corporation could have surrendered their lands for the purpose of giving them up altogether? Whether they could, without the understanding that they were to get a new Charter, have surrendered their lands in such a way as to destroy their corporate existence? The laws of the land said they could not do so. Even to enable them to give up their charter for the purpose of getting another, it was necessary to get an Act of Parliament ; but it would have been impossible for them to

have given up their endowments, unless to obtain a new one conformably to the terms of the first, that was to say, granting certain advantages to the Chancellor, President and Scholars of the College. The law was that corporations could not annihilate themselves, nor give up their corporate existence. The first authority which he would mention on the point was the case of Dean and Chapter of Norwich. There, although the deed of surrender only specified the delivery of the Church and the lands and buildings attached, yet in fact it implied the surrender of all their rights and possessions, and it was held that notwithstanding the transaction, the old corporation remained. The decisions in the cases of Haywood against Fulver, and the King against Gray, were to the same purpose. And it was also said in a case in which the City of London was concerned, that it was out of the power of that corporation to part with its rights. A similar case was that of Annis, in the reign of Henry the 8th. In the London case a quotation was made which showed that in the time of Henry the 8th it became necessary to procure a legislative enactment in order to enable the corporation of the Knights of St. John of Jerusalem to surrender; their own will not be held to being sufficient for that purpose. All the corporation of King's College could have done to meet the views expressed in the despatch would have been to surrender their right for the purpose of taking back an amended charter, granted like the first to the Chancellor, President and Scholars of the College with such other provisions, as it might have appeared proper to grant. The despatch went on to say, and this was a direction which had been carried out by the authority of the College, because they had never given their assent to that part of the bill of 1837, which related to the granting of divinity degrees - it went on to say : -

"But there is one object to which I must direct your attention, and which you will not fail to specially recommend to the consideration of the Legislature, I mean the permanent establishment in the College, upon a secure footing, of a Divinity Professor of the Church of England. This is a matter of great importance to those of His Majesty's subjects in Upper Canada who belong to the Church of England, and His Majesty, as head of that Church, cannot be insensible to the duty which belongs to him of protecting it, in all parts of His dominions."

He said that the University had acted upon the terms of that instruction, when it had rejected so much of the Charter of 1837, as prevented tests being required before divinity degrees were granted. And yet the House was told, that there ought to be no professor of divinity at all, when they had the despatches themselves on their very face contradicting the assertion. He now came to the University Bill itself. If nothing more were enacted therein than the provisions for the erection of an University, the Counsel of King's College would say nothing against it; because it must be admitted, that the Crown had the Constitutional rights (sic) to incorporate any other College it pleases. So long as they were not interfered with, they would never desire to be heard at the Bar of the House; but it was now proposed to force them to become a King's College. The recital of the Bill was as follows : -



"Whereas it is necessary to make further provision for the more general extension of liberal Education, and for facilitating the instruction of the youth of this Province, of all Christian Denominations, in the various branches of Science and Literature usually taught in an University, and to provide for the establishment of a(n) University in which Degrees in Arts and Faculties may be conferred ; And whereas in a Despatch dated the 8th November, 1832, from the then Principal Secretary of State for the Colonies, it is stated that "the Legislature of Upper Canada have already been invited to consider in what manner the University can be best constituted for the general advantage of the whole Society : " - Be it therefore enacted, &c. ; "

He had to touch upon the preamble because he was Counsel against every word of the Bill which affected the rights of King's College, and because the preamble contained some important words which would be placed on the records of Parliament, and which led to the belief that the Crown had called upon the House to interfere. The University of Upper Canada would be established by the 1st clause. By the 2nd, the Governor General was appointed the Visitor. But he thought the 3rd was of a character which could never obtain the assent of any legislative body, who desired to maintain the peace and harmony of the Institution. It provided that the Chancellor should be an elective officer, to be chosen by the Convocation of the University, which Convocation, it was declared by the thirteenth clause, should be composed of "the Chancellor and Vice Chancellor, and all the Members, the University Caput, and all other persons holding Professorships in the said University, and all persons admitted therein to the degree of Master of Arts, or to any degree in Divinity, Law or Medicine, and who from the time of such their admission to such degree shall pay the annual sum of shillings of lawful money of this Province, for and towards the maintenance and support of the said University, and shall be and be deemed, taken and reputed to the Members of the general convocation of the said University." - The House had been told that the bill would have the natural effect of doing away with the difficulties which have so long existed on this subject. That it would make a change in the very nature of parties, and that as far as mankind was affected by its operation the lion and the lamb would lie down together. This very fascinating picture had been drawn of the effect which would be produced by the bill, when under its provisions, all the Colleges would be receiving their proper students within their several doors, for the purpose of assembling at the morning or evening worship. He found, however, that the beautiful delineation of the picture would prove only too much like the deceitful mirage which offers to the thirsty and wearied traveller a beautiful prospect of refreshment, but which, when arrived at, he finds to be the same dry and sandy desert. He feared it would be much the same with the beautiful picture which had been presented to the House of the effect of the bill - at least as far as the convocation was concerned. Another clause of the bill was of a very different nature ; it provided that the Church of England student should go to his own College - the Methodist to his - the Presbyterian to his. But with regard to the religious instruction of those for whom no College was provided, and who would not submit to the test required by the Church of England, or the Presbyterian or the other

Colleges, he supposed they must be left to go without any. It was a fascinating picture, - a very fascinating one, but he believed it to be all a romance, not a reality. The 13th clause provided that the convocation should be composed of all the members of the Council of the University and of all persons occupying the chairs of professors, and of all persons admitted to the degree of M. A., or any other degree whatsoever in Theology, Law, or Medicine, &c., in any one of all the various Colleges ; but yet, the principle of the bill is, that no religious dissension or discussion shall be allowed to take place ; that the caput, like a boy's debating club, shall admit of no religion or politics in any form or shape whatsoever ; although the Convocation was to be composed of persons of all classes of belief - of the Church of England man with his 39 articles, of the Methodist with his declaration of belief, and of the member of the Church of Scotland with his confession of faith. Such was the body which was to elect the Chancellor and Vice Chancellor of the University ; and it appeared to be supposed, that the provisions of the bill could effectually put a stop to religious differences, and that the Chancellor would never be chosen on account of his religious opinions ; that there would be no partizanship nor any canvassing to secure his election by any one religious party - in short, that all those people would put their religious feelings and animosities into their pockets, and come together like lambs to elect a Chancellor. This abolition of all the usual polemical rage, animosity and enthusiasm, however, was only to take place as far as the Colleges were concerned, and had no reference to the University, so that the Convocation, if it had a majority of infidels, might elect an infidel Chancellor in an University composed of Christian Colleges. No one could fail to see that this election of Chancellor would give rise to heartburnings and animosities which would tear the Institution to pieces, and would light up the flames of discord from one end of the Province to the other, so that the election of Chancellor for this University would be a worse trouble than the election for members of Parliament - Then again the President of each College was to be pro Vice Chancellor, and was to preside at the assembly of persons with the title of professor, who were to form the Special Convocation for the purpose of granting degrees in Divinity. Thus there was to be no religion in the University - the voice of the Church was not to be heard within its walls, and the students would be taught nothing there, but heathen mythology, for though some of the Colleges would belong to parties who would take religious tests and conform to religious observances, yet there was nothing to prevent others from being established which would be mere boarding houses, or at best boarding schools. Yet this Infidel University which was to keep all religious matters so quiet, and so cool - this Infidel University, he said was by means of its Pro Vice Chancellors to confer Divinity Degrees, and the anomaly would be established of an University which recognized no religion, conferring Divinity Degrees by its Pro Vice Chancellors. It was to be done by a kind of side wind, instead of being done as it might just as well be, by the Chancellor himself. But in this University, without religion, where the name of God was never to be sounded, and where no religious observances were even to be performed, it was necessary to have a Pro Vice Chancellor



and to form a Special Convocation from each particular College, for the purpose of granting those Degrees. This plan looked all very well in theory, but it should be remembered by the House that it was something which had never yet been tried, and, that people did not like to leave the old high-ways and bye-paths, to try new high-ways and bye-paths so very different from what they had always been accustomed to before. Besides these things, he found, that the Caput was to be composed of heads of Colleges who would subscribe to the test of their belief in the divine inspiration of the scriptures, and in the Doctrine of the Trinity ; but as far as he was aware there was, no provision in the bill to prevent religious dissension arising in that body, or to prevent religious matters from being discussed. It was true they would not be able to pass any statutes or laws which would touch the observances of any denomination to which the particular Colleges might belong ; but there was nothing to prevent religious discussion among them : - When the Board met week after week, month after month, and year after year - No, not year after year - because he was persuaded that with such a regulation the institution would be dissolved in much less time than a twelvemonth - but he would ask, whether when these Theological people, these professors of Divinity came hot from their Divinity Lectures and Theological Classes no question of religion would ever arise among them? It was impossible to believe it. It was utterly absurd. And if that were so, then it became sufficiently plain, that the Caput would be exposed to be disturbed, and torn by religious discussions ; and that the flattering picture of all these Colleges each worshipping in its own way would be discovered to be an illusion. The very drawing of that picture, was enough to show the utter impossibility of its real existence ; the students would be coming hot from hearing something said against Protestants, or against Catholics or against Presbyterianism or Methodism - hot and reeking as they would be, when they met each other from these lectures and these remarks, could a better plan be devised, he would ask, for giving power and fierceness to their animosities. The Province could adopt no plan more likely to secure all things which were hateful in religious controversy. Would this bill altogether change the minds of men? Yet unless their hearts, and constitutions and very souls were changed, there could be no question whatever that discussions would spring up in the hotbed which would be formed and that they could be ten times more likely to occur than they otherwise would have been. The House would inflict an injury on the Province, if it adopted this principle of centralization, when in fact the principle which ought to be adopted was that of dispersion. Let the House take the only two Institutions which were at all like the one now proposed to be erected - he meant the Universities of Paris and London, and it would find that the principle adopted there was that of dispersion. Centralization would not extinguish animosity, but only increase it ; and instead of the torch being put out by that means, it would spread into a devouring flame. He had now got through the second clause of the bill and he would proceed to point out two clauses which were inconsistent with each other. These were the 15th and 17th, but the mere inconsistency would be easily reme-

died in that case. In the 22nd clause however he found a much more serious objection, it ran thus :

"XXII. And be it enacted, that King's College, upon and after the passing of any Act of the Parliament of this Province amending the Charter thereof, shall be and become a College of the said University."

The 23rd and 24th allowed Queen's College at Kingston, and the Victoria College at Coburg to become a College of the University of Upper Canada - if they pleased to do so. But in those cases the Union was not compulsory. Why was it he would ask that King's College alone should be compelled to come into the scheme? Why was not the same justice to be done towards the Church of England, as towards the Church of Scotland or the Methodists? Why was the option given to Queen's College, and Victoria College, while it was denied to poor King's College. The University was to be the kind and tender mother not only opening her arms to King's College and inviting her to come to them, but saying - "Come to me at once, you must come for I know it is for your good, and though I am an indulgent parent, yet if you do not come I will make you." This indulgent and kind mother, this alma mater says to King's College, "you shall not stay away, let Queen's College preserve her rights and Victoria College hers, if either of them please to do so ; but King's College ! I will not allow you to stand out." Why he asked was all this? Because it was felt that King's College had a charter, and an endowment, and it was felt, besides, that unless she were compelled to come into the arrangement there would be such a powerful opposition to the injustice that would be done in taking away her property, that it might perhaps be impossible to work the bill at all. It was therefore ordered by the bill, that the Church of England should not have the option of belonging or not, to an Institution opposed to her principles. It was said to her, - "It is true we know your principles, - We know that you are opposed to infidelity, and we know that you believe in the bible, but notwithstanding that, you shall and must belong to this institution whose principles are totally opposed to yours. Other Colleges have privileges, rights, and immunities, and we leave it optional with them to relinquish them or not, but you, King's College shall be obliged to place yourself in the position which we have marked out for you, whether you desire it or no. And we will insist upon this, because we have determined to take away your revenues, and to confiscate your endowments." The 21st clause was as follows; viz: -

"XXI. And be it enacted, that Upper Canada College shall be incorporated with and form an appendage of the said University, as a Royal Collegiate Grammar School, and be subjected to the jurisdiction and control of the Caput thereof, and that the Principal thereof shall be appointed and removed by Her Majesty, Her Heirs and Successors."

So that a Church of England School was to be made the means of preparing the young men of the Province for an infidel University. He said the Church of England School, because, a Royal Collegiate Grammar School was necessarily a Church of England Institution. The masters of it must be persons who had obtained a license from the Bishop of the Diocese where the school was situated, and that license was only given upon such masters



taking the oath of allegiance and subscribing to the 39 articles. He was justified therefore in saying that a Collegiate Grammar School must be exclusively a Church of England School; and there was another feature of such a School, which was, that nothing could be taught there but Latin and Greek, so that this School at Toronto, at which mathematics and other branches of an English education were now taught, was to be re-modelled and nothing was to be taught there but Latin and Greek. No doubt, however, the people of the Province would be very thankful that proficient in Latin and Greek should be sent into all parts of the country. To show that a Grammar school must be confined in the manner which he had described, he would mention the case of the Highgate School, which was endowed by Sir R. Cholmondely in the reign of Elizabeth, and in the year 1571. It appeared in that case, that it had been ordered by statutes passed by Governors appointed by letters patent, that the master should be a graduate, and should teach the A B C and the other branches of an English education. An information was filed (sic) in which it was charged that the school had been perverted from the uses intended by the founder, and had become a mere charity school, and that by allowing this to happen, the Governors had abused their trust. It was shown, however, that in the memory of man the school had been nothing but a school for an English education; but it was nevertheless declared by Lord Eldon that the school was one intended for teaching grammar, and must, therefore, be applied according to the original intention of its founder. Lord Eldon had established the same principle in other cases, so it was very clear that by the law of the land a Grammar School could be applied to no other purpose than to the instruction of boys in Greek and Latin. But it might be said, allowing that to be the case, still it by no means follows that the school should necessarily be under the direction of no master, but one who is a member of the Church of England. That, however, was only adjudged to be the law of the land. In the King against the Archbishop of York, a mandamus had been issued to the Archbishop, directing him to license one R. W. for a Grammar School at Skepton in Yorkshire; he put in as an answer, that R. W. had refused to be examined, and that he relied on the canon law, as well as on a decree given in time of James 1<sup>st</sup>. The result had been, that the master was obliged to be licensed according to the form he had already mentioned, that is to say, he had to subscribe to the oath of allegiance, the 39 articles, the canons of 1603, and the liturgy. As a Collegiate Grammar school, therefore, must be a Church of England School, why make this School at Toronto one of that description, at the same time that it is intended simply to prepare people to enter the University. It was not a subject of complaint, that this School would be a Church of England School, but it was complained of, that the boys should be compelled to learn nothing but Latin and Greek. If that was not intended he could not imagine what the intention of the authors of the bill could be, but he had no doubt it was intended, because he had too good an opinion of the high legal abilities of the framer of the measure to suppose that he would have put the words, Royal Collegiate School, into the bill, without considering fully the meaning of them. He was quite sure that the learned gentleman to whom he had alluded, knew quite well, that this must mean a Church of England Institution, and a school for the in-

struction of boys in Latin and Greek. The Upper Canada College would stand in a very different position after the passing of this law from that in which it stands at present. It had now a master who did not belong to the Church of England, and pupils who did not belong to that church. He believed that there would be just as many - perhaps more scholars if the school were confined entirely to the Church of England; but that would not be the case unless they were taught as they now are, not Latin and Greek exclusively, but all the branches of an English Education, and unless they received mathematical and all other instruction necessary to give boys a good foundation for an University course. Therefore the Upper Canada College School was now in a better position than it would be after the passing of the law, though not in so good a one, according to his opinion, as if the distinctive character of a religious institution were given it. The 25th clause authorized any body to have a College in the University no matter, whether they were Christians or heathens, so long as they could only obtain a Royal Charter, and any College which might have 15 students would be entitled to £300, and any which might have 50, would be entitled to £1200 a year. Now it seemed very extraordinary this should be proposed to be done, with an income which it was calculated by the hon. and learned gentleman who had charge of the bill, did not exceed £8000 per annum. It was impossible to say how many Colleges would be chartered, and would thus obtain the right to become Colleges of the University. The University would require £6000 to carry it on as an University, so that there would be no more than £2000 to divide among all these Colleges, and to pay the Theological professors of the Church of England, the Presbyterians, the Methodists, and any others who might come forward hereafter. It might indeed be answered that it was not to be presumed that Royal Charters would be granted to everybody who might apply for one. But let it be recollected, that one of the great benefits of this beautiful act, consisted of its being intended for a final measure, but who could tell but that other bodies might apply for Charters, and having applied for them might obtain them. Besides he would ask what was the main reason for the bill being proposed unless it were to give satisfaction to all parties in the Province, and to furnish means of education for all. If other people then apply for charters and are refused, could it be argued that satisfaction would be given in such a manner? No! the cry would be heard again, and then there would again be an excitement carried on throughout the province, and then there would again be an alteration of the final measure. After the University had received its £6000, no one would say that much would be left to divide among the rest. Yet it could not be supposed that there would not be other applicants for Charters, because as to a mere commercial speculation, such an application would be a very good one, since a Charter could be procured at an expense of £700 at the utmost; he believed it might be got for £500, and every body would be for getting £300 per annum, at an outlay of £700 capital. Looking at it as a mere investment for money, the speculation would be a most profitable one. The 30th clause allowed professors to retain the position now occupied by them, at the discretion



of the visitor. That clause deprived professors of the rights vested in them, unless the Visitor chooses that they should remain there, and that without any reference to the position which they held at present or their right to continue. If any one of them were obnoxious to the governor, the governor would have the power to prevent him from retaining his position. He said, that ought not to be the case. He contended, that after the University was erected the Professors and the other members of the present institution ought to be continued, without reference to the Visitor, except in so far as he should have the right to remove them in the manner appointed by the other clauses of the Bill. He thought that this interference with vested rights was wrong and unconstitutional. He came now to the Bill for altering and amending the Charter of King's College - that Bill which declares that King's College should no longer stand in the position which it now occupies under the Royal Charter or under the act of 1837. It was provided in this Bill that the Council should consist of the President, the Vice President and three Tutors, and that the Bill should not go into operation until such a body of Professors was formed. Now, the President who was to be the Divinity Professor of the Reserve College was to be allowed £600 per annum. There would therefore remain £600 out of the £1200, which formed the income of the College, for the other four Professors. Now, would any one pretend to say, that that was a sufficient sum for the purpose? No! they would not; and thus King's College would have its immunities taken away, and yet would not be allowed to go into operation without a council of five Professors, which Council it was impossible for it to have. - The College therefore was used in a most harsh manner, not merely with reference to the original grant, but even with regard to that under which it would be placed by the three Bills now brought before the Legislature. There was only one good clause in the Bill; that was the second which provided for the repeal of the Act of 1837. For that clause the bill was entitled to credit, not for those other clauses which were intended to give satisfaction to all classes of the community, but which in fact never could give any satisfaction at all. The claim of this University was not one to be harshly dealt with; it was not one to be met by a high handed act of power; but it was a claim to the possession of real property. The House might take that property away from the College; and it might next take away the property of any other corporation, or of any individual, on the same principle; and not only the property of any individual, but even his life or limbs, without any kind of legal decision. The claim now set up by King's College was not a sinister or awkward claim, it was not picked by the ingenuity of an advocate from the worm holes of former days, nor from old books almost lost in oblivion. There was no skill, nor device, nor labor, which could give it a higher position than it possessed by a Royal Charter, when it was remembered by each man in the House, that the land which he now lived upon was held by no better title than a Royal grant, and when it was remembered that all which any one of them had and held was built upon the same foundation. When the Legislature should have declared that this charter should be annulled, what was to become of the other Institutions of the Province? Were there no others to be attacked, except the Church of England? none in which a char-

ter was not a wall against violence and wrong? Were there no other persons, no other Colleges, no other seminaries, nor any other bodies whose rights might be taken away? Was a treaty a more sacred thing than the faith of a King? Or if the grant were destroyed, might not a treaty be destroyed also? If that were the case, the people did but hold their liberties by a grant of the Crown, and the charter obtained by the Barons at Runnimeade was but parchment and wax. If charters were to be abrogated to-day, so might treaties be to-morrow, and the powers which overturned the faith of a King now, might next destroy the faith of a nation. If it would not be said that all this could be done by a high handed act of violence and wrong - then it could not be admitted that there was any ground upon which Institutions could be deprived of their property, nor upon which King's College could be dragged up like a criminal with a judgment of forfeiture passed upon him, and with a bill of attainder against his property. - all without any charge of misconduct or any statement of wrong done, upon which reliance might be placed. All her ancient possessions, which she had held since 1797, were now to be taken away from her; and after that, every man who possessed property, or rights, or privileges, might rest assured that the same power which did it, could deprive individuals of their rights also; that the same power which deprived every individual connected with that College of his property, would be prepared to do the same with the property of other parties. For it should be remembered, that it was not merely the rights of the corporation which were about to be destroyed, but those of every individual member of it, and those even of every member of the Church of England throughout the Province - each of whom had his share in that Institution. Every person with interests under that Charter had a vested right, with which the House would interfere if it passed the Bill. Sir, said the learned gentleman, you will deprive me and every individual member of the Church of England with me, of our rights, as much as if you robbed us of property which belongs to us, or took away any thing which we are entitled to possess. The hon. gentleman continued to remark, that he was glad to have the opportunity to raise his voice against this unconstitutional Bill, which ought certainly never to become the law of the land; because it would take away rights, privileges and immunities, which had been confirmed by a Charter - an instrument which had been respected even in the colonies which had revolted from the Crown. Even there the Judges had declared such a title to be entitled to protection against the action of the State Legislature, and had given to Institutions - based on principles which were directly opposed to those of the country in which they were situated - the same stability as if these countries had still continued under British rule. - Surely then the House would affirm that those rights should not - ought not be taken away; and that it would be contrary to every principle of justice and equity to deprive parties of rights so purely belonging to them. Let the House take care that it be not said, instead of making more firm the structure of society by this Bill, you have by it contributed to the downfall of confidence and mutual trust. Let the House beware lest it be true that, -



"Hoc fonte derivata clades

In patriam, populumque fluxit."

Take care Sir, continued the learned gentleman, lest it be said, that instead of all past animosities being extinguished, they were blown into a flame by this unprincipled Bill. I do not know that I can conclude what I have said as to the rights of these parties, better than by making use of the words which were once before employed on a similar occasion before Canadian Legislature. They are so strong, that I am sure they cannot fail to make a proper impression. - "For the sake of religion; on every constitutional principle; by every patriotic feeling; in the name of God, your Queen, your Country, I call upon you to reject this Bill."<sup>2</sup>

(374)

*and then directed to withdraw.*

*The Honourable Mr. Attorney General Draper moved, seconded by the Honourable Mr. Attorney General Smith, that the said Bill be now read a second time.*<sup>3</sup>

MR. DRAPER said, that he should then content himself with merely moving, that the Bill be now read a second time. When the proper time arrived, he should take an opportunity of answering - he had no doubt successfully - all the arguments which had been urged, or which might yet be urged against the bill.<sup>4</sup>

MR. ROBLIN wished to know from the hon. member whether, in case the second reading of the bill were carried, it was his intention to pass it through this session? The answer he might receive, would have an influence upon his vote.<sup>5</sup>

MR. DRAPER, as we understood, replied, that he was not then prepared to answer that question; but that he would take an opportunity of giving a full and fair statement of his intentions.<sup>6</sup>

The hon. member ((MR. BOULTON)) expressed his surprise and disappointment at the course taken by the hon. Attordey (sic) General West<sup>7</sup>, who had introduced the bill. He had expected, that since the time when a discussion had last taken place on this subject, that gentleman would have felt, that he had pursued a course which was not approved of by those with whom he usually acted; and, that feeling this, and seeing the expression of public opinion which was made in every quarter of the country, he would not have pressed for the second reading of this bill during the present session. The plan that gentleman was now pursuing, placed the supporters of the Administration in<sup>8</sup> the awkward position of voting against them and bringing the country back into its old difficulties.<sup>9</sup> It placed those, too, in an unpleasant position, who put those gentlemen where they were now seated, for those persons would be compelled to vote against the second reading of the bill, because they were opposed to its principle. If he was opposed to the principle of the bill, however, he was no less op-

posed to its details; and on that account, as well as upon others, desired to have it postponed till next session, in order to give an opportunity for the country to express its opinion, and to show whether or not it would desire the bill to be passed. If Government, by pursuing the course which they now were taking, had placed themselves in a predicament, it was no fault of any member of that house. No one was to blame but themselves for it. He (Mr. Boulton) believed that they were wrong in making this a Cabinet question, if it were for no other reason than because of the very constitution of the Cabinet, which rendered it perfectly unfit to come to a unanimous determination upon a question of moral and religious education. There were in the Cabinet gentlemen professing the faiths of the Roman Catholic, Anglican, and the Scottish Churches; and he must say, that he could not conceive how members of those three denominations could come to any common conclusion, on any one question connected with such a subject as the religious education of the whole Province. It ought, then, according to his views, to have been left an open question; but the Government had thought otherwise, and had accordingly insisted upon its being a Ministerial question by the fate of which the hon. and learned mover had declared they would either stand or fall. He (Mr. Boulton) hoped that they were determined to stand or fall by the principles they had laid down, but it was not, he repeated it, his fault if they fell in consequence of the course which they were taking. He conceived the measure to be unconstitutional, and one which the House could have no right to pass; and, therefore, although he was elected by a conservative constituency, and although he was sent to the House to support the existing administration, yet he was only prepared to give his support to their measures so far as he conceived they were in accordance with sound and constitutional doctrines, and so far as he conceived that they worked no wrong to any person or party. In this instance, he thought their measure was an unsound and an unconstitutional one, and he felt the greatest regret to be obliged to give the vote, which he should have to do, and to determine to defeat the ministry and throw the country again into the confusion of an election. There were no personal sacrifices which he would not willingly make, rather than bring about such a contest, but now he had to decide between principles and party. And whenever he had to choose in such a case, he would always prefer the former and abandon the latter. He could not help thinking it a singular thing, that the present Government should think it necessary to press the bill through during the present session, because, as far as he could ascertain, there had been no petitions laid on the table of the House asking for this measure. There was no manifesto from any single denomination, either complaining of the existing state of the College, or asking for any legislation on the subject. Why then did they bring it forward? It must be because they desired to make political capital of it, as was attempted upon a former occasion by the hon. member for the fourth riding of York. That hon. member had brought forward a measure, somewhat similar to this, for the sake of making political capital; and now the present administration wished to please the people of the province by promoting it again. He felt that they would signally fail, because there was not a single part of the province in which the bill had not been denounced<sup>10</sup> as

unjust and improper.<sup>11</sup> Altho' no petitions had been laid upon the table of the House in direct opposition to the measure, during this session or the preceding one, yet there were from all parts of the province - from seven or eight different sections of it at least - petitions which prayed, that if the house did interfere with the Royal Charter granted to this institution, it would do the same with those conferred upon Queen's and Victoria Colleges, and would also make a new settlement of those endowments<sup>12</sup> of Lower Canada which had never yet been interfered with<sup>13</sup> by the Colonial Legislature. He (Mr. Boulton) did think, that, as those petitions were lying upon the table, it was a most extraordinary thing for his hon. friends to oppose the manifest wishes of the people<sup>14</sup>, ((and)) to force their friends to oppose them by pressing this measure in the wanton manner they were doing. The hon. gentleman referred to the petition which had been presented from the visitors of King's College against the proposed Bill<sup>15</sup>. In addition to those to which he had alluded, there was also a petition signed by the Judges of the land, begging that the House would not interfere with a Royal Charter, because they conceived that it had no right to do so. As to the authorities which had been cited by the learned counsel at the bar on that subject, he thought it unnecessary for him to say anything; he would not refer to any other cases, though he might refer to many in support of the views put forward. He would only mention the speech of Lord Lyndhurst in the House of Lords on the occasion of the introduction of the Municipal Corporations Bill. He might read from a pamphlet, too, which contained the speech of an hon. member of this House, he who had introduced this measure, in which he gave it as his opinion, not only as an advocate but as a constitutional lawyer<sup>16</sup>, that the Provincial Legislature had no power to interfere either with the Charter or the Endowment of the University<sup>17</sup>, and in which he had stated, that if he delivered himself warmly on the subject, it was because he spoke as a man the feelings of his heart, and was not merely pleading a cause as an advocate. The only ground upon which hon. members could refrain from voting against the bill, was because members of the administration would endeavour to prove to them, that the arguments of the learned counsel at the bar were untenable. To that he could only reply, that if hon. members could be convinced that the House possessed the right, constitutionally, of interfering, then they would be justified in voting in favour of the measure; but if that could not be done - if the House had no right to interfere - if it had no authority to destroy the provisions of a Royal Charter - then every member of that House was bound to vote against the second reading. He did hope that if the reasons urged by the ministry, which possessed two or three professional men, did not weigh against the long string of arguments brought forward by the learned counsel, he did trust that hon. members would vote for his amendment and against the second reading of the bill.<sup>18</sup>

(374)

*Mr. Boulton moved, in amendment, seconded by Mr. Sherwood, of Brockville, that the further consideration of the said Bill be postponed until the next Session of Parliament.*



MR. ROBINSON would vote against the original motion, and in favour of the amendment; but before he did so, he felt that it was necessary for him to state why he came to that conclusion. He was desirous that the University of King's College, should be made as perfect and as acceptable to the will of the people of the province, as it was possible for the legislature to make it. But he could not admit - and he believed he knew the people of Upper Canada as well as his learned friend upon his right - he could not, he said, admit the urgent necessity for the measure passing this session. He had been twice before his constituents in a short time, but, though they had enquired his views, they had not required from him any pledge on the subject. Their sentiments, however, were these; that it would be preferable, rather than see the endowment disposed of in the manner proposed by the bill, to give a certain portion of it to the several denominations, that each might do with it as they pleased. They preferred that course, because they complained, and as he thought with justice, of the inconvenience of being obliged to send their children to Toronto, and to no other part of the Province. As he had before remarked, his constituents had never desired a pledge from him, but he had put the matter to them and that was their answer. He had assured them, that unless he were convinced that the bill could be made more acceptable he would not vote for it.<sup>19</sup> His conscience told him that the present measure would not have the desired effect, viz: - giving satisfaction to the people, and therefore he should vote against it.<sup>20</sup> In taking up that position, he did not think he was at all infringing upon the principle of responsible government when he accepted office; for he had done so with the full understanding, that if he could not concur in the measure((s)) of his colleagues he must leave them whether they had a majority or a minority. In taking the step which he had lately done, he could not be supposed, to wish in, any way, to embarrass the government, (hear, hear) hon. gentlemen might cry hear, hear, as much as they pleased, but he could tell them, that when he had come to Montreal in November he did so, without even knowing that the situation which he lately held was vacant. It had then been offered as he understood, to several persons, all of whom had declined to accept it. He had not seen the Governor for ten days after his arrival, for the sole reason that he had heard the report that it was expected the office of Inspector General would be offered to him. He had merely called, upon his arrival, at the Government House, and had put his name down in the book, and it was not until ten days after, that the office had been mentioned to him. When his Lordship had been pleased to do him the honour of making him a tender of the post, he (Mr. Robinson) had told him that it was one which, from the course of life he had led for the last two years he felt some hesitation in accepting; because he had been out of business, and the situation was one of the greatest importance: he had said at the same time, however, that if he could relieve his Excellency from any embarrassment he would consent to take it, whether he should hold it, for one month, or twelve months, or a week. He underwent an election, in a county containing 24 townships, at a great cost and a considerable amount of labour and trouble both in the election and in trav-



elling, since which, he had always done what he could to sustain and not to embarrass the ministry. No one therefore could accuse him now of not desiring to support them as much as he could do previously to making up his mind to take the course which he had taken.<sup>21</sup> It was, he repeated, to sustain the Governor Gen'l that he accepted office, and his resignation was not from any intention to embarrass the Government, but because his conscience would not allow him to vote for the present Bill.<sup>22</sup> For his own part, he had no desire to shirk the question by putting it off till the next session<sup>23</sup>, as had been insinuated<sup>24</sup>, but he did desire, that, whatever settlement was made it should be a final one - at any rate, that it should have something like finality about it<sup>25</sup>, ((and)) be satisfactory to the country; the present mode would not, he thought, attain the object sought for, and before any final determination was come to, hon. members should return to their constituents and consult them upon a matter which not only deeply interested them, but which embraced the interests of thousands, yet unborn<sup>26</sup>. OR He did not think it necessary that every member of the house should retire to his constituency, in order to learn of their sentiments on the question; he thought that on a subject of so great importance, one in which thousands yet unborn were interested, there could be no harm in postponing it for a few months longer, in order to consider it more attentively. It was said however as the subject had been mentioned in the speech from the Throne, that therefore it must be taken up; but in reply he would ask if the subject of general education was not mentioned also? And why had not the administration taken up the subject of common schools, as well as that of the Upper Canada University, and King's College? However his friends had thought proper to take up the last mentioned subjects, and he therefore felt it his duty to tender His Excellency his resignation. The honourable gentleman then read the note, by which he had placed his office at the disposal of His Excellency, and then proceeded as follows: - He repeated he did not desire to embarrass (sic) the ministry by his vote, but the question with him was not, whether this party should stand or that party, but what were the merits of the case. He did not stop to enquire whether a measure was supported by hon. gentlemen on his side of the house, or whether it was supported by hon. gentleman (sic) opposite.<sup>27</sup> He would ask certain hon. members on his side who were in favour of the bill whether they would support it had it been introduced by hon. gentlemen opposite? - he thought they would not.<sup>28</sup> ((Mr. Robinson continued:)) No, he would not vote upon such a plan, and he felt that those who knew him would give him credit for sincerity.<sup>29</sup> The hon. member concluded by expressing a hope that his retiring from the Ministry would be followed by no injurious effect; he wished no injury to the present Administration, and only adopted a course which he felt compelled to resort to.<sup>30</sup> He need not take up the time of the House further. He had felt hesitation as to the vote which he should give to-night for the first time for the last twelve years, during which he had sat in Parliament. He had never before wished or asked for time to make up his mind upon any question. He would just say that this was not the first time his hon. friends and himself had differed on great questions. When, in the time of Lord Sydenham, the Union came to be a question which it was neces-

sary to decide upon, he had voted against it; and perhaps experience had shown that he was right; not but that he would do his best to make it work well, now that it was the law of the land. He had given his vote, however, on that occasion, without consulting his constituents. In Simcoe they were all Church of England people, but they were noble hearted and generous, and they would not wish to excite the ill-will of any other denominations. They desired no modification of the present charter, but if any satisfactory mode of settling the question could be pointed out, they would not object to it, because they desired nothing but peace and harmony. Their principal aim was to live in peace together, and they did so as he believed to as great an extent as any people in the world. Under those circumstances to which he had alluded he must tell the hon. gentleman in charge of the bill, that if he desired to press it through this Session, he (Mr. Robinson) must vote against it; for the sake of the bill itself, and in order that it should not be made a party measure, he hoped time would be given. If not, he should vote for the amendment.<sup>31</sup>

MR. CHRISTIE desired to know whether, supposing the second reading of the bill were carried, the Ministry were ready to refer it to a Committee of the whole for alteration in its details, or whether the order of the day was to be, the bill, the whole bill, and nothing but the bill?<sup>32</sup>

The SOLICITOR GENERAL (West) ((MR. HENRY SHERWOOD)) would not now enter into the principle of the measure, nor would he occupy the time of the House with reference to its details. He agreed with his friend on his right as to the necessity which existed for some measure to settle this long vexed question with regard to the University. And he had sacrificed many strong friendships, and much that he highly valued and esteemed in private life, because he had determined, while in the Government, to render every assistance in his power to accomplish that desirable object.<sup>33</sup> If the penalty of doing so was to risk his popularity, and to make him retire into private life, still he should not hesitate.<sup>34</sup> If he could have attained it by the sacrifice of every thing on earth, and could have settled it by one vote of his, he would have felt the moment he recorded that vote to be the happiest in his life. So much did he feel that the constant agitation which was going forward was little calculated to raise the country to the position on which he would wish to see it placed, that he desired only to take the course which he believed to be right, and which would infringe no principle of equity and justice. He fully concurred as to the propriety of legislation upon it, and indeed he did not believe that there was one hon. member of that House who was of opinion that it was unnecessary to settle this question by a legislative enactment. That being the case, it became his duty to record his vote on that principle, in favour of legislation, and he must confess he could not understand the course which his hon. friend, who had just sat down, had adopted, when he declined voting in favour of the second reading of the bill to establish the principle that something ought to be done. There however he must stop, for he desired to have the farther consideration postponed, in order so to settle the question as to establish what he would think a desirable and



permanent measure. Under those circumstances, and with the clear understanding that the Government were prepared to accede to the request of those who supported them, and to allow the measure to stand over for the consideration of the inhabitants of Upper Canada, (No, no,) he would vote for the second reading. When he took all the circumstances of the case into consideration, and when he reflected upon that fact that every newspaper into which he could look contained expressions of alarm and dissatisfaction - he said, when he considered these things, he thought that unless more mature deliberations should change the minds of the people, the opinion which was abroad was so contrary to this bill, that it would not be proper for him to aid in pushing it forward during the present session. Feeling as he did that those persons whom he represented were desirous of delay, he yielded the proper deference to the wish of his constituents, and he was prepared to give his vote for the second reading only on the understanding that he supported merely the declaration that legislation was necessary; and only under the impression that Government would accede to the wishes of their supporters and allow the bill to stand over. In accordance with those views he had tendered to his Excellency the resignation of his office, conditionally, upon his being obliged in future stages of the bill, to give a vote which would bring him into collision with his colleagues.<sup>35</sup>

MR. MOFFATT thought, that at the present late period of the Session, there was no time for any measure to be carried that could be exactly satisfactory. The principle object of the bill was to promote satisfaction and content, and he thought unless there were a prospect of attaining those ends, it would be better to let it alone altogether. He did not see why the matter should not be allowed to stand over till next Session, with the understanding that a measure would be brought forward then with a better prospect; and at all events with a greater probability of giving more general contentment. He would ask the House to recollect the recent attempt at legislation on the subject - he referred to the bill of 1837. That was passed with the object of producing satisfaction, but had it done so? No! and now the House was going to do the same thing again, without the slightest ground upon which to expect a satisfactory result; because nothing was known of the views of the Imperial Government, nor of the feelings of the people of Upper Canada. If the intentions of the Government were not to pass the bill through it would have been a preferable course, to have merely moved certain declaratory resolutions. That, he thought, would have ... been infinitely better than the introduction of these three bills, because it would have pledged the House to entertain the subject at the earliest opportunity, and at the same time would have left it clear to take the course which ((circumstances?)) might dictate.<sup>36</sup> The hon. gentleman concluded by saying that under these circumstances he should vote for the postponement, but in doing so he did not consider that a rejection of the measure, he should, however, reserve his opinion on the details of the Bill for a future occasion.<sup>37</sup>

MR. ROBINSON said, that he just wished to explain, in consequence of something which had fallen from the hon. Solicitor General, that he was an advocate for legislation, but that he would not pledge himself farther than that.<sup>38</sup>

MR. MOFFATT said a few words in explanation which were inaudible in the gallery.<sup>39</sup>

MR. ((JOHN S.)) MACDONALD (Glengarry) wished to know if Lord Metcalfe had accepted the resignation of the hon. gentleman ((Mr. Robinson)) who had just sat down.<sup>40</sup>

Several members on the Ministerial side cried "don't answer"<sup>41</sup>.

MR. ROBINSON said ... that he had nothing to conceal and would at once answer the question. He had received no reply from His Excellency.<sup>42</sup>

MR. ERMATINGER thought the present question was entirely one of expediency. He could not at present make up his mind to vote for its postponement, he would like to hear some further discussion of the subject, and to be informed by the Government what course it meant to pursue.<sup>43</sup>

MR. DICKSON said that the hon. member for Toronto who had introduced the present amendment had introduced it at an improper time, as he had previously done with another amendment, in the early stage of legislation on this subject. He was not aware of the course which the Administration meant to pursue in this question, but he thought it would be quite time enough after the second reading for them to enter upon the subject of postponement. For his own part, he took the same views now which he had given expression to upon a former occasion, viz., that as this bill was one which emanated from the Ministry, if they wished to pass it through the House this session, they should be allowed to do so. If, on the other hand, they were desirous that it should lay over, let the proposition come from the Government; the hon. members would know what course to pursue. The question was one upon which legislation was necessary, and he was satisfied, that the country would be extremely desirous to accept it. If, on the other hand, the measure introduced should, after a trial, be found far more injurious than the law as at present existing, then it would be a subject of regret for all. Nevertheless, he was desirous that the bill should carry, because he was anxious that the Administration should suggest the course of procedure to be taken, in order that upon their heads might fall the consequences of failure, in the shape of that loss of public estimation which they would, in that case, be obliged to sustain. In the present stage of the proceedings, he was anxious that this particular motion for amendment should not carry. But that the principle of the bill should be admitted, and that there should be a very good reason urged before the final consideration of the matter was postponed until next session. He desired to hear the Government express their views, or at least the hon. gentleman at the head of it who had been so often referred to by the learned



counsel at the bar that evening. And after he had expressed his wishes, he (Mr. Dickson) would be disposed to carry them out, no matter what they might be.<sup>44</sup>

MR. JOHNSTON was prepared to vote for the second reading, but if Her Majesty's Ministers wished to go further, he would vote against them and offer some amendments of his own. He said that some of the clauses were such as neither a Christian nor a Member of Parliament could vote for - a fact not at all according to Hoyle (roars of laughter.)<sup>45</sup>

MR. DUGGAN considered this subject to be one of great importance, and that the treatment which the bill would meet with from the House involved consequences equal in their magnitude to the subject itself. It was a matter in which his feelings, as well as that of many other members of the Church of England were engaged, for he would be the last man to support any measure which was founded on injustice to that Church. But perhaps he might take a more extended view of what was justice in this case, than some other hon. gentlemen might do, for he conceived that the end and object of a church ought not to be the mere attainment of worldly possessions. At the same time, however, he would give to her, as well as to every other body, her civil rights, which he held must always be maintained, and of which he would never be a party to the violation. This question not only engaged the feelings of the whole community of Upper Canada, but it also gave rise to questions as to what were the real rights of a Corporate body, and what were not; and also how far the Provincial Legislature was authorized to meddle with them. Without going far into this question, he would content himself with saying, that he fully concurred in the opinion that the Legislature might interfere. Notwithstanding the eloquent address which they had just heard, he believed that it was in the power of the Government to interfere, and that they were bound to do so.<sup>46</sup> Whether this was a bill which would give satisfaction to the country, and promote those best interests of the people, which the University had been erected to do, was another matter. The history of the country, however, had hitherto been nothing but the display of a scene of political agitation either upon one subject or another from its earliest days down to the passing of the Act of 1837. The excitement had, at that time, risen to such an extent, that it had involved many of his fellow subjects in crimes which humanity shuddered to contemplate. Although a great constitutional question was involved, as to the conduct of the Government, yet whether those gentlemen should go out of office, or whether they should remain in, he could not help viewing the question as an individual, as a member of the community, as a man of common sense, and as a christian. He hoped to view such questions always in that light, and he was not prepared by the vote he should give, unless it involved injustice to the Church of England, to take upon himself the responsibility of another election, and of having re-enacted those scenes of violence and disturbance of the public peace which had marked the last one - violence and disturbance did he say, he ought rather to have said perjury and blood shed. Every one knew the heartburning and jealousies to which such an event would give rise; for it was only two days

before, that the House had received the report of a Select Committee appointed to try a contested election, and the strict opinions of many members with regard to the motives, which had actuated the members of that Committee from either sides of the House, were well understood. At all events, he knew quite enough of the evils which would result to satisfy him, that unless some gross injustice would be done by that course, he ought to prepare himself to avert such consequences from his adopted country. He would vote, therefore, in favour of the principle of the Bill, and he was convinced that in so doing he would be acting in accordance with the views of many members on both sides of the House, who agreed in thinking that it was the right and the duty of the Legislature to interfere and to settle the question. - He wished, he said, to allow the Bill to go through the second reading, but it must be on the understanding that little would then be given for further consideration. He hoped the objects which he had in view would be thought reasonable ones - he trusted they would meet with the approval of constituents; but, however, that might be, or whatever might be views of politicians who sought to divide their opponents, he would not take upon himself the responsibility of renewing agitation and disturbance, but would do whatever was in his power to maintain peace and concord among his fellow countrymen. After the contests which had so recently taken place, was there any honorable gentleman who would get up and say that he would be willing to give a vote that might perhaps restore to power individuals, one of whom had not hesitated to threaten to arraign the industrious individual who sways the government of the country before a Court of Justice (No, No.) Well all he could say, was, that the most hostile feelings had been expressed, and when they had been thus prominently brought forward, it became his duty to consider how the quiet and peace of the country might be best secured. If the principle of the right of the House to legislate had been admitted, as he believed it had been, it then became a mere matter of £ s d as to the mode of carrying that principle out<sup>47</sup>, who should possess 8 or £10,000<sup>48</sup>, and he would put it to any hon. member on either side of the House, whether the whole country was to be thrown into turmoil for any such consideration. For these reasons, and trusting that the Government would consent to postpone the further consideration of the bill for the present, as well out of deference to their friends as on account of the sufficiency of the reasons employed, he would vote for the second reading of the bill, upon the understanding that it was to go no further this session.<sup>49</sup>

DR. DUNLOP said, that the hon. member for Toronto, who moved the amendment, had told the house, that he represented a conservative constituency. Now he (Dr. Dunlop) represented a conservative constituency also, and one, of all others, the most conservative; amongst whom it had never been the question whether they should have a conservtive (sic) or a radical member, but which conservative they should have. And, finally, they had shewn their penetration and discrimination by sending him. (Laughter). Great skill had been shown by the learned gentleman who had addressed the house, in



his mode of proceeding; he had got up and had tried to frighten hon. members on the other side by telling them, that if they meddled with this institution, there was not a college from here to Quebec, and he did not know how much further down below Quebec, but would be interfered with likewise. Now, sir, - said the hon. gentleman - the cases are not in any one way parallel or similar; for the greater number of those colleges were, I believe endowed in the days of Louis XIV, and were so endowed for the express purpose of providing for the education of Roman Catholics, and for no other sects; at a time, indeed, when there were no other sects in the country. He then called this bill an act of spoliation and robbery and all sorts of pretty things, and characterised it as a proceeding which could only be equalled by those of Henry VIII.; and proceeded, further, to tell us, that we have no right to interfere with a royal charter, however wrong it may be. Neither this government nor the British government, said he, has any right to interfere with people who have once got a charter; and as the hon. member who introduced the amendment has endorsed his statement I suppose it must be current, but I can tell you, sir, that I would be very sorry to cash the note on the security of the pair of them. I cannot compliment either of those two learned gentlemen upon their knowledge of constitutional law whatever they may have of common law. They can have very little legal knowledge if they do not know, that when a King granted a charter in former days, he did so, because he was in himself King, Lords and Commons, and if they did not know that he had the same right to revoke it when it pleased his own royal will, as he had had before, to grant it. Henry 1st granted a charter almost verbatim et literatim the same, as the Magna Charter (sic) which King John afterwards gave to his subjects. The words were nearly the same, but it was altered in the "matter of substance" as we say upon juries. It was altered very considerably from Henry's charter, for in that one, the grant was said to be made by the King's royal grace and motion; but in this charter accorded to his subjects by John, instead of its being done by the King's royal grace and motion, it was a compact, and a contract, between the King and his subjects - not merely signed by the King and his Chancellor, but signed and sealed by the King on the one part, and by the Barons on the other, who thus signified their acceptance of the terms of this solemn compact between the King and his people. That charter therefore became strict law, not because it was given by the King, but because it was also accepted by his subjects. There were laws passed in a later day, which were also compacts of the same character. In the 2nd of William, in the year 1690 would be found that bill which was the new Magna Charter (sic) of Great Britain, the old one having been enlarged since the time of King John by many new laws, especially in the reign of Charles 1st, by the passing of the "Habeas Corpus" Act, and the bill of rights, which were nothing more than an extension of Magna Charter (sic). In fact the only difference between that charter, and the Habeas Corpus Act consists in this, - that the last mentioned (sic) law points out the way in which writs may be sued out. Now we are told that we cannot by any means interfere with royal charters.<sup>50</sup>

No, no, from MR. JOHNSTON.<sup>51</sup>

((MR. DUNLOP continued:)) I would ask the hon. and learned member for Carlton who cried "no, no" how all the boroughs got their right of sending members to parliament? Was not every single one of them entitled to do so by royal charter? And yet so lately as twelve years ago we say these royal charters torn to pieces, and scattered to the wind by the reform bill. Old Gatton and Sarum had royal charters just as much as London and Westminster, yet the privileges of London and Westminster were added to, while those of Old Gatton and Sarum were torn from them. Nothing was left of their rights, although the members for Gatton and Sarum were elected quite unanimously without giving any disturbance to the country or trouble to the parliament. The parson, clerk and sexton always voted together, there were no committees kept waiting day after day on their account, nor any members brought to the bar for not attending to their duties. They had a((s)) decent and quiet way of electing members as could be desired. To the hon. gentleman who spoke last I must pay a compliment on the goodness of his disposition, though not on the goodness of his head; he is in an awkward position, and does not know which way to turn. I would wish him to make up his mind to do one thing or the other, as I mean to do myself. I shall vote for the motion, and as people say we must be pledged to one thing or the other, I wish you would carry the second reading, and then I will tell you what I will do next.<sup>52</sup>

MR. ((GEORGE)) SHERWOOD (Brockville) thought that further legislation upon this matter ought to be postponed till the next Session; and that the bill having been introduced, it ought now to be allowed to lay over in order that hon. members might have the opportunity of hearing the opinions of their constituents before they passed it. Then if it appeared that the details of the measure were so drawn up as to render it impossible that it could work properly, much longer time would be given for considering what were the best means of amending them. The hon. member for Niagara had said that the amendment was made, like a similar motion at a former part of the Session, at the wrong time. Now if the hon. gentleman, or any one of the administration with whom he meant to go, had taken an opportunity of informing the House what was the right time for such a motion, no doubt their views would have been met. But with respect to the former motion, he (Mr. Sherwood) believed that he would be borne out by the House in saying that the correct time had been taken for making it and he believed that this was also made at the proper moment for postponing the measure to the next Session. With respect to the subject itself there could be no doubt that some time or other it must receive the attention of the legislature, but he also thought that the manner in which hon. gentlemen proposed to legislate upon it was not the right one, and that a far better ((one)) might be devised. He thought a division of the property by which each body of Christians might take its own share would be far more advisable; because it would then be for the interest of all to prevent future legislation on the subject. In



case that were done, he would vote for an additional endowment for the other Colleges, instead of erecting this University. He would merely add, that having seconded the ... amendment he should feel it to be his duty to vote for it.<sup>53</sup>

MR. ((GEORGE)) MACDONELL (Dundas) was astonished that any gentleman should get up and declare that the Ministry had introduced a measure which had taken the house and the country by surprise and which they were not prepared to go into. He thought that to take such a course was to be guilty of the greatest defection and inconsistency which had ever occurred in this country. If hon. members did not approve of the enunciation of the principles which the bill contained, why did they invite the government to introduce it? He said that to hon. gentlemen who professed to be the friends of the ministry, but who opposed this bill, for the credit of it, he thought, was due to those, who in answer to the speech from the Throne, had pledged themselves and the ministers that they would legislate upon the subject this very session, before they returned to their constituents.<sup>54</sup> Yet those were the very men to turn round and taunt the ministry with desiring to thrust upon them an unpalatable measure. He desired to wash his hands of this defection, for he would be sorry, indeed, to return to the place which he represented in such an inconsistent position as those gentlemen stood in, to whom he had alluded. He would redeem the pledge which he had given to Government, for he hoped, after having a hand in bringing ministers into power, that he would never be found to turn round upon them in such a shameful manner.<sup>55</sup>

MR. ROBINSON rose for the purpose -<sup>56</sup>

MR. ((GEORGE)) MACDONELL was perfectly in order, and he would not be put down.<sup>57</sup>

MR. ROBINSON wished to know whether the hon. gentleman's remarks were applied to him; because if so, he could tell him that he was as little guilty of betraying the administration as any man in the House.<sup>58</sup>

MR. ((GEORGE)) MACDONELL continued - What he had said he would maintain to the last.<sup>59</sup> In the answer which had been returned to the speech from the Throne were these words: - "The earnest consideration of the House will be given to the measures brought before them, for the promotion of the welfare of the province, &c - and they will be glad if any amendment can be devised respecting the University of King's College." After that broad declaration, in which hon. members had pledged themselves by a compact which would for ever stand on record - after having forced ministers upon an act of this kind, they turned round and deserted men whom they had brought to the brink of a precipice. He repeated that this was a shameful defection, and one which the country would long remember - it would never be forgotten. How hon. members in the face of their own declaration, made before the country and before parliament, could come down

and assert that ministers had taken them by surprise, he could not understand.<sup>60</sup> He only wished now to point out that Ministers were brought into the position in which they now stand and that they ought, therefore to be supported by all who wished that the country should prosper.<sup>61</sup>

MR. AYLWIN conceived, that the position in which the Government stands before the country is most extraordinary. They came down at the beginning of the Session, calling the attention of the House to a subject alluded to in His Excellency's speech, which had engaged the attention of the House last Session, and on account of which no small obloquy had been cast upon his hon. friend from the Fourth Riding of York, namely, the reconstruction of the Charter of King's College. It was asserted that this was one of the causes of the resignation of the late ministry, that they found they could not carry the bill through, and to avoid defeat had picked a quarrel with His Excellency on the principles of Responsible Government; that was asserted from one end of the Province to the other. But in what an extraordinary position is the present Administration, that one of its members should get up towards the close of the Session, and express his doubts as to the propriety of the measure, and that he could not at present make up his mind respecting it! Why, the question is far from being a new one, it has been in agitation, and the hon. member for Simcoe should have laid aside all his doubts long before this and come down boldly either in support or in opposition to this Bill when the House was called on to accede to a motion for a recess of some fourteen or fifteen days. The hon. Attorney General said they did not want a recess for one hour: all was ready, their measures were quite prepared to go on without any delay, no not a moment.<sup>62</sup>

ATTORNEY GENERAL ((JAMES)) SMITH begged leave to set the hon. member right. He certainly did not say that the Government measures were all ready.<sup>63</sup>

MR. AYLWIN continued - He well knew at the time what the meaning of that recess was, and that it would show its intention before the end of the Session, and here it is, at the end of the session a member of the Government has not made up his mind on the subject of this bill. Contrast this with the conduct of the late administration whenever a member of that administration could not concur in the views of his colleagues, he either resigned his situation, or else they forced him to do it, and really when the hon. member for Simcoe said that his only object in taking office was to relieve His Excellency from the obloquy that would attend his not being able to procure a person from one end of the province to fill his office, he in some manner detracted from the character of the administration. The late Ministry was called a bungling one, but if hon. members would take a correct view of it, he tho't they would find that these are the bunglers who now compose the Executive. All their measures of importance are still in abeyance. Look at the list of their orders, and what would hon. members see? They would see that a number of Government measures recommended to the consideration of the House in the speech from the throne,

have only lately been brought before the House, and have still to be decided, where as if taken up in time, the whole of them would have been settled long since. But instead of doing so the Ministry have tired and worn out the patience of hon. members, keeping them here from week to week and from month to month, although as it would appear this bill has been printed long since by Messrs. Derbyshire & Desbarats, the Queen's Printer. It was not worth while waiting until the bill was before the House to have it printed. Oh no! He would ask, how was it then that the hon. Inspector General had not time as yet to make up his mind as to this bill, as he must have had it in his hands almost since the beginning of the Session, at all events, from the moment he took office. Was there an hon. member in the House who was not ready to give his vote? And surely the hon. Inspector General, as an inhabitant of Upper Canada where this bill has created the greatest excitement, should have sufficient knowledge of the question to give his vote either for or against the bill.<sup>64</sup>

The INSPECTOR GENERAL ((MR. ROBINSON)) could not conceive why the hon. member could not understand his remarks. He had said that if the second reading of the bill was pressed he would be obliged to vote against it.<sup>65</sup>

MR. AYLWIN. - Then the hon. member came out fairly and boldly, and if the hon. member could not concur in the views of his colleagues that was a matter he must settle with them. He well knew what would have been the course pursued by the late administration; they were bound to stand by each other or else resign their places, and if that member did not resign, the other Ministers would have resigned at once, and allow him to form an administration in the same manner as the Attorney General, West, who had no seat in that House nor in the other. Yes, it was the duty of the hon. gentleman to resign, or if he did not his colleagues should force him to do so. He would tell another honorable member that when he said the Government would perhaps yield to the wishes of his supporters, if the great body of them required the postponement of the bill, that was not the manner to conduct public business. It was the business of the Attorney General to decide on the propriety or the sufficiency of the reasons for allowing the Bill to lie over till next session, and it was for Ministers to consider what course they should take. With respect to the question before the House, he was in favour of the second reading of the bill, because he thought it very necessary that the Charter of the College should be remodelled. If he were of a different opinion, he should not have remained in the administration last year. In the abstract, he agreed perfectly with the hon. Att'y General, for he could see no difficulty as to taking up this bill and carrying out its principles, although he did not concur in its details. And why? because it is in the power of the Executive so to alter the Charter of King's College as to throw it open not merely to Episcopalians, but to all religious bodies which believe in the cardinal points of the Christian Faith. Could it be doubted for a second that it is in the power of this House to amend that Act of Incorporation? The power of the Crown is great, its prerogative is great, but it is as



nothing when compared with the omnipotence of Parliament, which is supreme when it in any way concerns such institutions as that affected by this bill, and thus all the nonsense (sic) about the Provincial Assembly interfering with vested rights sunk into nothing. But hon. members were told that they should not interfere with King's College Charter because it was a sort of eleemosynary institution. Why he understood that perfectly, but at the same time he knew where the charity came from. And because the lands were wrongfully perverted to another purpose than that for which they were originally intended, and hon. members were called on to rectify the evil, were they to be told that the only remedy would only be partial and as imperfect as the Act passed in Upper Canada to effect the same object. No, he said, let us profit by experience of previous error, and try by passing a bill which will give satisfaction to all parties, and thus, as much as lies in their power attempt to put an end to those religious dissensions (sic) and feuds which will prove the bane of this country if not speedily repressed. The Government was right in taking this step, he was pleased even at the observations of the Inspector General, for if it be admitted now that a majority exists for legislating on this subject, the same majority must have existed last session, and he looked upon these arguments as carrying with them the refutation of a great many charges made against the late Administration. He was happy to hear that the hon. member for Huron had made some very just observations pointing out the absurdity of drawing any comparison between this King's College and the Colleges of Lower Canada. It was attempted last session, various indeed were the attempts then made to show that the Colleges of Lower Canada were founded in a similar manner, but it was one that would not make an impression upon any member sent here to protect the rights of a Lower Canadian constituency. Who is there that is acquainted with the history of Lower Canada that does not know that so far from these institutions receiving benefits from the crown they conferred benefits? Who has seen the Jesuit College at Quebec, and would not say that the men who built that pile of buildings did not confer a benefit on the handful of settlers then in the Province instead of receiving it at the hands of the Crown? And when pious women of the noble blood of France, came out here and founded buildings for the instruction of youth at their own expense, were these to be put on a par with your King's College, which was founded by a grant of Crown Lands? When hon. members go to Nicolet and see the College there, built at the expense of a Bishop, would they compare that or the Colleges of Chambly, L'Assumption, St. Hyacinthe and many others through the Province with King's College, let them examine these institutions and then let them read the statements made by Upper Canadian writers and make the attempt at drawing the analogy. When he saw that attempt made last Session he was indignant and justly so, because he well knew that it was done in order to frighten the Lower Canada members in giving the then opposition a support which they would not otherwise receive. He must again thank the hon. member for the observations he had made, it was another proof of his liberality since the commencement of the session. He would give his vote in favour of the second reading of the bill, not because he could approve of all its details - not because he would not amend it in Committee - but because having expressed the same opinion((s)) last ses-



sion, he was compelled to maintain them now, and he was bound to support any measures of government which were calculated to do even partial good; but while he went so far, he would still reserve to himself the right of censuring most severely the delay made by the Ministry in leaving this most important measure to so late a period in the session, and he hoped that the journals throughout the Province and hon. gentlemen themselves would admit that the Government was not so felicitously managed as they would have the people believe. The Province does not seem to be in such delightful concord as the Executive would wish every one to believe. Look at the specimen of this concord exhibited by the members on the ministerial benches. Contrast the observations of the hon. member for Dundas with those of the Inspector General. Contrast their statements of the support the Executive received with the statements made openly of the difficulty encountered by the Governor General in filling up vacancies. The last was certainly a correct statement of affairs. But he was under no apprehension on that head if the hon. Inspector General resigned, or even if he did not, and the remainder of the Cabinet resigned in consequence. For the experience of the last few months showed that His Excellency could carry on the Government without any Ministry, or rather with one Minister, for he must do justice to the hon. member for Megantic who was a host in himself. If His Excellency could carry on the Administration with the able assistance of the hon. Secretary for ten months, why he could do as well for ten years; therefore he had not the slightest apprehension, for whatever may be the result of this difference in the Cabinet, he was certain matters would go on swimmingly. And then there is the saving. Hon. gentlemen should not forget what a saving would be made by getting rid of all the office holders and having merely one Minister, the hon. member for Megantic for instance, the great factotum. As a general rule he did not wish to interfere with the affairs of the Upper Province, he would rather that they should manage their own affairs as they please, but this question has so extensive an interest that he could not avoid expressing his opinions. Besides he was not disposed to view it as a party question; hon. members on the other side differed in their opinions respecting it, and he had no doubt his hon. friend from the Fouth (sic) Riding of York would view it in a different light from what he did himself. He would, however, vote for the second reading of the bill, for he thought that he was compelled to uphold the opinions expressed by him last session, that King's College should be thrown open to all religious denominations, which was now affirmed by hon. gentlemen on the opposite side of the House, although they were of a different opinion when the bill of his hon. friend was before the House.<sup>66</sup>

MR. DRAPER said, he would not occupy the time of the House in following the arguments which had been advanced within the bar or out of it: but he declared that after paying the greatest attention to all that had been advanced against the measure, he did not feel shaken in the view he had taken as to the right of the House to interfere with this question.<sup>67</sup> After that statement, he would examine no part of the statements made by the

learned gentleman at the bar, in the course of his argument which would have done honour to any<sup>68</sup> member of the English bar<sup>69</sup>, and which he was proud to hear delivered by a gentleman from Upper Canada. With reference to the merits of the question, he would not go into them, for it would be merely wasting time to take up those arguments now, which he would be prepared to refute with ... perfect ease, when the proper opportunity was afforded him. He was opposed to the amendment in toto; he was bound to look upon it as an attempt to throw out the bill - in other words, as a motion that it should be read that day six months, - and he would, in consequence, pursue the same course as if the motion, had been made more distinctly. He was unable to make those fine-drawn distinctions which some hon. gentlemen seemed to have discovered, in order to throw the bill out without compromising themselves. Taking that view, he would persist in his motion for the second reading of the bill, and he did not doubt, that he would be supported in it by a majority of the house, although there was an unfortunate difference of opinion between one of his colleagues and himself, which no one could regret more than himself, as it would involve the necessity either of that gentleman resigning, or of himself and his colleagues doing so. Yet, he felt that it was his duty to persist in his motion and to divide the house on it, and he would do so for the reason, that the question whether this subject could be legislated on, must be one day settled, and because he thought the house as competent to decide now as it ever would be. He would now again repeat that his conviction remained unaltered; that it was within the power of the legislature to treat this, and it was necessary that it should be legislated upon. Those convictions, he said, were untouched, because he had the concurrent testimony of every person connected with the institution of their favour<sup>70</sup>. The hon. gentleman ... ((commented)) on an argument advanced by the learned Counsel at the bar, that the King's College Counsel had never accepted or acted under the amended charter. He characterized this as a subterfuge and a tampering with legislation. He had never heard such a doctrine laid down till now, and trusted (sic) that for the sake of the character of the University, it would be disavowed.<sup>71</sup> He afterwards explained to the House that he was satisfied that the matter was merely put forth as an argument which might be advanced, and was not part of the case submitted by the Council of King's College.<sup>72</sup> The only remaining question, therefore, was a general and broad one. Whether this legislation should be directed to the putting of the College back into its original position, which he took to be that of an exclusively Church of England establishment, or whether it should not be thrown open, as the Crown had declared it ought to be to all classes of the people of the province. Now the second reading of the bill involved the declaration of two principles; first, that there existed the right to legislate; and, secondly, that the object of legislation should be the removal of every thing of an exclusive character which had existed in the royal foundation. He was sorry to find some voting against him whom he certainly had not expected to do so; but be that as it might, he would not retire from the assertion he had made, but would, if it were possible, have passed the bill. He had evinced his honest disposition to do so, but when he found the majority of those who supported the government, of which he formed part, ag-



reeing in the propriety of legislation and adopting the principle of the measure but nevertheless declaring that they felt compelled to call upon him to postpone it, for the purpose of taking the sense of the country, he thought that he could take no other course than that of acceding to their request. But, said the hon. gentleman, to allow the bill to be stopped before its second reading, and to permit the whole proceedings of this House to be stultified - never, Sir, will I hold office on such terms.<sup>73</sup>

MR. MOFFATT conceived that the declaration just made was determinate, that the bill would not be proceeded with this session beyond the second reading; he should, therefore, vote in favor of the motion.<sup>74</sup>

MR. BALDWIN had been called upon, with reference to some of the remarks of the learned counsel, and he must take the opportunity to express his surprise, that such opinions could have been advocated at the bar of that House, or even imagined by any one who was acquainted with the University. It was certainly the first time that such considerations had been presented to his mind from any quarter, and they were such as could never be sustained by any principle of constitutional law. With regard to the question itself, he must say that he had felt some embarrassments (sic) as to the course which he ought to take, for up to that time he was entirely in the dark as to the principle of the measure. For until that evening the hon. gentleman had studiously avoided separating the details of this bill from its principle.<sup>75</sup> He (Mr. B.) for his part was not prepared to vote for the bill and could not admit the correctness of the doctrine, that the principle of a bill consisted in the right to legislate upon the subject matter of it or in the view with which such legislation was proposed. He conceived the principle of a bill to consist in its main features and being unprepared to support the main features of the present bill he should certainly vote against it. At the same time he (Mr. B.) confessed himself unconvinced either by the arguments which had been addressed to them from the bar or those which had been urged by the hon. and learned member for Toronto (Mr. Boulton) and he (Mr. Baldwin) fully agreed with the hon. and learned Attorney General in the right of Parliament to legislate upon the subject and was also of opinion that the object of such legislation should be to open the University and place all Religious denominations upon a perfect equality with respect to that Institution<sup>76</sup> ((and divest)) it of its exclusive character.<sup>77</sup> But these were not the only principles to which they would be committing themselves by voting for the second reading of this bill, but on the contrary by doing so they would be declaring their approbation of the principle of the bill now before the House. Had the object of the hon. and learned gentleman been merely to affirm the right to legislate, instead of calling upon them to adopt (sic) the principle of an elaborate measure as this was he (the Attorney General) as was well pointed out by the hon. member for Montreal, ought to have moved a resolution affirming that principle, and if he had wished to point to the object to be aimed at by such legislation, he

might have included in the resolution a declaration to that effect. Had such a course been taken, he (Mr. Baldwin) would have been happy to have given it his support. After the intimation that had ... been given by the Ministers he (Mr. B.) did not feel called upon to enter upon the discussion of the measure as it now stands before them, and should merely say that not being able to affirm the principles of the present bill he (Mr. B.) would vote against it, and should consequently vote for the motion of the hon. and learned member for Toronto (Mr. Boulton)<sup>78</sup>, although he did not know two men who could differ more widely than that gentleman and himself upon every topic connected with the question. Still they arrived at the same conclusion though by a different road. If the measure were not to be proceeded with this session, that was with him an additional reason why it should not be now read a second time, because time would then be afforded to give the whole matter a fuller consideration.<sup>79</sup> At the same time he asserted the right to legislate as fully as any man, and was decidedly of opinion that such legislation should be directed with a view to the opening of the University and extending the benefits of it to all classes of the community irrespective of denominational differences.<sup>80</sup>

MR. DRAPER took the opportunity of concurring in what had fallen from the hon. member for Huron respecting the Lower Canada Colleges. The hon. gentleman stated that he was absent at the time the remarks were made.<sup>81</sup>

MR. WILLIAMS wished time for consideration. He was of opinion, however, that the Legislature were competent to legislate in this matter, and therefore should vote for the second reading, with the understanding that the measure would stand over.<sup>82</sup>

M. LAFONTAINE dit qu'il approuvait le principe de legislater sur le sujet; que si le bill parvenait à sa deuxième lecture il pouvait assurer que ses honorables collègues, les membres de la majorité du Bas-Canada, n'interviendraient pas dans les détails. Cependant comme il paraissait qu'une majorité du Haut-Canada était adverse à la mesure, il voterait en faveur de l'amendement.<sup>83</sup>

MR. MERRITT conceived this to be a measure of the highest importance, which it was necessary to settle at once and finally. But, he thought that the land which formed the endowment, ought to be set apart for those purposes for which it had been originally appropriated. Now, what were those purposes? The endowment of Grammar Schools for all classes in Upper Canada! He felt satisfied that no measure would meet with the approbation of the people of the Province, unless it were one of a very liberal nature. In what position was the College placed before the House? The authorities of the College, he presumed were against any legislation taking place, and the House must be aware that there was a most powerful opposition in Upper Canada against the measure; so powerful and so influential, that it was quite clear the bill would be opposed from beginning to end. If any strong feeling for change had been expressed, there would not have been so much difficulty; nor would there have been the same opposition, if a plan had



been laid before the House for endowing Common Schools; but the education of the people had been neglected, and the grant had been converted to the endowment of these high seminaries, before the people were prepared to receive the benefit of them. For his own part, he made no objection to the principle of legislating on this matter, but he wanted a more liberal measure, because he believed that the charter was given for the benefit of the people of the Province, and he was prepared in committee to move certain amendments, with the object of making it more liberal. At Bonn, in Germany, there were eighteen professors of Theology; among whom were both Catholics and Protestants, and there was no difficulty whatever in their agreeing among themselves, there existed perfect harmony among them all. He was prepared to vote against the amendment.<sup>84</sup>

MR. GOWAN said, that as he understood that the measure was not to be pressed during the present session, he would not then express any opinion upon it. But he desired to tell his friends on his own side of the house - and he spoke especially to those of them who were in favour of the postponement - that before they did postpone it, they ought to consider what would be the result. They would find to their sorrow and cost, that they would not be allowed to keep anything for that College, which now desired to keep the whole. - Let them take care that the table, instead of being covered with petitions with 20,000 signatures in favour of narrowing the institution, as had been threatened, did not groan under petitions in opposition to those views. If that did not prove to be the case, he (Mr. Gowan) knew nothing of the public sentiment in Upper Canada - if the whole of the endowment were not taken from King's College, in case the question were referred back to the people by hon. members divesting themselves of their representative functions going back to their constituents - if, he said, in that case the people did not come before the house, and with the majesty of unanimous petitions, did not demand that this land should be given up for the endowment of free Grammar Schools, then he knew nothing of their opinions. As far as he knew any thing of the opinions of the great constituency which he represented - the largest but one in Upper Canada - he knew, that if he voted in favor of this postponement, he would be scoffed and hissed if he presumed afterwards to present himself in any Township of the County of Leeds. Let not his friends tell him that those were not the sentiments of a Church of England man. He was born a member of that Church, he venerated and loved her, and he spoke as one of her sons. It was, however, the sentiment of the whole country, - and he was willing to stake his seat with any member upon this assertion, that this fund having been given to King's College for the benefit of the whole people, it was as much a robbery to appropriate it to any one class, as if he were to put his hand into his friend's pocket and to take out his purse. He put it to honorable members, whether those were not the feelings and thoughts that would be responded to throughout the country, - whether the voice of the people would not declare, we will have this fund for common schools, and King's College shall not have it at all? He warned his

friends that if this bill were postponed, the Church of England would never have again so favourable an opportunity for its settlement. He did not now wish to go into the particulars of the bill, which he should make some remarks upon if it went into committee, especially as he found the motion would be carried without further discussion; but he did desire to put his friends upon their guard, against seeing a storm, the fury of which, they would find to be irresistible.<sup>85</sup>

MR. ((JOHN S.)) MACDONALD, of Glengarry, would offer a few remarks on the motion before the House, in order that the vote he was about to give might not be construed into opposition on his part to the principle of Legislating on the University of King's College, for he would now declare that he was as much in favor of opening that University to all religious denominations in the country as any hon. member in that House; but it did not follow that ... whilst he sincerely entertained this view, that he was ready to vote for the second reading of the bill now under consideration, and particularly as it was pretty well understood, on both sides of the House, that the second reading was required, not with a view of advancing it a step farther during the present session, but merely to exhibit the strength of the ministry, which would bespeak so much confidence in them; and satisfied as he (Mr. McD.) was that the ministry intended to put off the measure as he had just stated, he was ready to do in a straight forward manner what the ministry would in a day or two ask the House to do, viz.: to postpone the consideration of the question until the next session, and therefore he would vote for the amendment proposed by the hon. member for Toronto. A few words more and he had done. He was aware the amendment would be lost, and although the second reading would be carried, the country would not fail to see that the whole affair was a piece of mock legislation, for he would ask, would the ministry proceed a step further in the matter? He felt assured they would not. In deference to the wishes of their friends, they are ready to put off the question for the present, and on his (Mr. McDonald's) side of the House an anxiety was felt for a bill to pass on the subject of King's College, but not one which in its odious details, would still leave the management of the new Institution in the hands of the high-church party. The country can easily perceive how much of liberality there is to be found in the present Bill, which as far as the Ministry were concerned, was intended to pass into a law, but thanks to the press of the country, and to the independant (sic) stand taken by members, the measure would be abandoned, as one which was scouted by all parties, and he would conclude by protesting against any legislation on this measure which would not place his constituents, and others who thought as they did, on a perfectly equal footing with the most favoured religious denominations in the Province.<sup>86</sup>

M. CAUCHON pensait qu'on n'avait pas le droit de législater sur une mesure de cette nature, et conséquemment il voterait à l'encontre. Il dit que l'administration avait évidemment recours à la tactique pour se maintenir, mais qu'elle n'avait pas réussi à conserver les apparences. L'hon. procureur général du Haut-Canada pouvait bien affecter de l'indignation et promettre de

résigner s'il succombait, puisqu'il était sûr de la majorité. Que quant à lui il n'avait pas besoin de subterfuge pour soutenir son opinion.<sup>87</sup>

MR. RIDDELL desired to call the attention of the House to the fact - an anomaly in legislation, - that the two parties of the House were about to divide on two different sets of principles. The gentlemen on his side, defined the principle of the bill to be that the Legislature has the right and power to amend and alter the charter of King's College. The hon. member for the Fourth Riding, however, was not prepared to vote upon that principle, but dragged in some other principles of which no one else knew anything. He would vote for the motion for second reading.<sup>88</sup>

MR. HALL merely rose to explain some of the facts mentioned by the learned counsel below the bar. He had instanced several cases in the United States, especially one in North Carolina, in which charters from the English Crown had been respected. Now, the reason was this, at the time of the revolution the Congress had guaranteed their rights, to all persons who held land by Crown grants, on condition that they would join the popular party; and it was therefore impossible for any one particular State to do away with this guarantee of the General Congress. Any law passed in opposition to it would be unconstitutional.<sup>89</sup>

(374)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Boutillier, Cameron, Cauchon, Chabot, Chauveau, Desautier, DeWitt, Drummond, Franchère, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Methot, Morin, Nelson, Powell, Price, Robinson, Rousseau, Sherwood of BROCKVILLE, Smith of WENTWORTH, Taché, and Watts--(34.)

NAYS.

Aylwin, Chalmers, Christie, Colville, Cummings, Attorney General Draper, Daly, DeBleury, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Laterrière, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Roblin, Scott, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, Williams, and Woods--(45.)

*So it passed in the negative.*



The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--

## YEAS.

Aylwin, Chalmers, Christie, Colville, Cummings, Attorney General Draper, Daly, McFleury, Dickson, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Laterrière, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Meyers, Moffatt, Murney, Papineau, Petrie, Prince, Riddell, Roblin, Scott, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, Williams, and Woods--(45.)

## NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Boutillier, Cameron, Cameron, Chabot, Chauveau, Desautier, DeWitt, Drummond, Franchère, Guillet, John, Lacoste, LaFontaine, Lantier, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Methot, Morin, Nelson, Powell, Price, Robinson, Rousseau, Sherwood of BROCKVILLE, Smith of WENTWORTH, Taché, and Watts--(34.)

So it was carried in the affirmative, and

The said Bill was read accordingly.

MR. DRAPER ... stated that after the opinions which had been expressed by hon. gentlemen on his side of the House, and the understanding on which many of them had voted, he should take no further action on the bill at present; but consider what course he was to pursue.<sup>90</sup>

(374)

Endowment for  
University  
Education,  
Upper Canada.

The Order of the Day for the second reading of the Bill to vest the endowment granted by the Crown, for University Education in Upper Canada, in the University of Upper Canada, and for other purposes therein mentioned, being read,

The said Bill was read accordingly.

Charter of  
King's College.

The Order of the Day for the second reading of the Bill to repeal a certain Act therein mentioned, and to alter and amend the Charter of the University of King's College, being read,

The said Bill was read accordingly.



Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. DeBleury, seconded by Mr. Stewart, of Bytown,  
The House adjourned.

FOOTNOTES, 18 MARCH 1845.

1. The following speech was reported by : L'AUORE, 20 March 1845; ST. CATHARINES JOURNAL, 27 March 1845; LA MINERVE, 20 March 1845; MONTREAL TRANSCRIPT, 20 March 1845, copied by BRITISH WHIG, 25 March 1845; and KINGSTON CHRONICLE, 26 March 1845, in an account abbreviated but otherwise identical to that of MONTREAL GAZETTE, 22 March 1845, and that of KINGSTON NEWS, 27 March 1845. Commentaries are contained in MONTREAL COURIER, whose account was copied by BATHURST COURIER, 15 April 1845 ; PILOT, 20 March 1845, whose account was translated by LE CANADIEN, 24 March 1845 : LE CANADIEN, 21 March 1845 ; LA MINERVE, 20 March 1845 ; and BRITISH COLONIST, 25 March 1845. All sources agreed to the fact that Cameron spoke for more than three hours and all testified to the eloquence of his speech. Like Draper's speech on the 11 March 1845, to which this is a direct reply, the text of the speech was probably released to the press under Cameron's sanction, or at least with his assistance.

2. MONTREAL GAZETTE, 22 March 1845.

3. The debate on this motion was reported by ST. CATHARINES JOURNAL, 27 March 1845 ; PILOT, 20 March 1845 ; LE CANADIEN, 21 March 1845 ; LA MINERVE, 20 March 1845; LE JOURNAL DE QUEBEC, 20, 27 March 1845 ; BROCKVILLE RECORDER, 27 March 1845, and KINGSTON NEWS, 27 March 1845, in accounts abbreviated but otherwise identical to MONTREAL TRANSCRIPT, 20 March 1845, copied by BRITISH WHIG, 25 March 1845 ; and MONTREAL GAZETTE, 22 March 1845, BRITISH COLONIST, 1 April 1845, EXAMINER, 2 April 1845, and GLOBE, 25 March 1845, in accounts identical in most respects except that the GAZETTE's report contains more speakers than the BRITISH COLONIST's, EXAMINER's and GLOBE's, and some of the GAZETTE's speeches are given in more detail than those in the BRITISH COLONIST, EXAMINER, and GLOBE. The versions in MONTREAL TRANSCRIPT, BROCKVILLE RECORDER, and KINGSTON NEWS contain a few speeches identical to the versions in MONTREAL GAZETTE, BRITISH COLONIST, EXAMINER, and GLOBE. Commentaries are contained in L'AUORE, 20 March 1845 ; MONTREAL TRANSCRIPT, 18 March 1845 ; GLOBE, 25 March, 1 April 1845 ; PILOT, 20 March 1845, whose account was translated by LE CANADIEN, 24 March 1845 ; MONTREAL OBSERVER, whose account was copied by PILOT, 29 March 1845 ; MONTREAL GAZETTE, 18 March 1845, whose account was copied by BRITISH COLONIST, 22 March 1845; and MONTREAL COURIER, whose account was copied by BATHURST COURIER, 15 April 1845. When selections are taken from the accounts in MONTREAL GAZETTE, 22 March 1845, and BRITISH COLONIST, 1 April 1845, the BRITISH COLONIST is reproduced wherever possible because the MONTREAL GAZETTE is very illegible in parts. Similarly, when selections are chosen from the identical accounts in MONTREAL TRANSCRIPT, 20 March 1845, and BROCKVILLE RECORDER, 27 March 1845, the much more legible BROCKVILLE RECORDER is reproduced.

4. BRITISH COLONIST, 1 April 1845.

5. IBID.

6. IBID. LE JOURNAL DE QUEBEC, 27 March 1845, noted that "un instant après, on le vit traverser la chambre et on l'entendit dire à M. Roblin

qu'il avait intention de remettre cette mesure à une autre année."

7. PILOT, 20 March 1845.
8. BRITISH COLONIST, 1 April 1845.
9. BROCKVILLE RECORDER, 27 March 1845.
10. BRITISH COLONIST, 1 April 1845.
11. BROCKVILLE RECORDER, 27 March 1845.
12. BRITISH COLONIST, 1 April 1845.
13. BROCKVILLE RECORDER, 27 March 1845.
14. BRITISH COLONIST, 1 April 1845.
15. BROCKVILLE RECORDER, 27 March 1845.
16. BRITISH COLONIST, 1 April 1845.
17. BROCKVILLE RECORDER, 27 March 1845.
18. BRITISH COLONIST, 1 April 1845.
19. IBID.
20. BROCKVILLE RECORDER, 27 March 1845.
21. BRITISH COLONIST, 1 April 1845.
22. PILOT, 20 March 1845.
23. BRITISH COLONIST, 1 April 1845.
24. PILOT, 20 March 1845.
25. BRITISH COLONIST, 1 April 1845.
26. PILOT, 20 March 1845.
27. BRITISH COLONIST, 1 April 1845.
28. PILOT, 20 March 1845.
29. BRITISH COLONIST, 1 April 1845.
30. PILOT, 20 March 1845.
31. BRITISH COLONIST, 1 April 1845.
32. IBID.
33. IBID.
34. BROCKVILLE RECORDER, 27 March 1845.
35. BRITISH COLONIST, 1 April 1845.
36. MONTREAL GAZETTE, 22 March 1845.
37. BROCKVILLE RECORDER, 27 March 1845.
38. BRITISH COLONIST, 1 April 1845.
39. MONTREAL GAZETTE, 22 March 1845.
40. IBID.
41. PILOT, 20 March 1845.
42. IBID.
43. BRITISH COLONIST, 1 April 1845.
44. IBID.
45. BROCKVILLE RECORDER, 27 March 1845.
46. BRITISH COLONIST, 1 April 1845.
47. MONTREAL GAZETTE, 22 March 1845.
48. PILOT, 20 March 1845.
49. MONTREAL GAZETTE, 22 March 1845.
50. BRITISH COLONIST, 1 April 1845.
51. IBID.
52. IBID.
53. MONTREAL GAZETTE, 22 March 1845.
54. BRITISH COLONIST, 1 April 1845.

55. BRITISH COLONIST, 4 April 1845.
56. MONTREAL GAZETTE, 22 March 1845.
57. IBID.
58. IBID.
59. IBID.
60. BRITISH COLONIST, 4 April 1845.
61. MONTREAL GAZETTE, 22 March 1845.
62. BROCKVILLE RECORDER, 27 March 1845. Aylwin's speech, with J. Smith's and Robinson's interjections, are all identically reported in BROCKVILLE RECORDER, 27 March 1845, MONTREAL GAZETTE, 22 March 1845, and in an identical but edited version in MONTREAL TRANSCRIPT, 20 March 1845.
63. BROCKVILLE RECORDER, 27 March 1845.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. BRITISH COLONIST, 4 April 1845.
69. BROCKVILLE RECORDER, 27 March 1845.
70. BRITISH COLONIST, 4 April 1845.
71. BROCKVILLE RECORDER, 27 March 1845, which explained that "In this respect, however the hon. gentleman appears to have been laboring under a misapprehension", so that his subsequent remarks are understandable.
72. IBID.
73. BRITISH COLONIST, 4 April 1845.
74. MONTREAL GAZETTE, 22 March 1845.
75. BRITISH COLONIST, 4 April 1845.
76. PILOT, 20 March 1845.
77. BRITISH COLONIST, 4 April 1845.
78. PILOT, 20 March 1845.
79. BRITISH COLONIST, 4 April 1845.
80. PILOT, 20 March 1845.
81. MONTREAL TRANSCRIPT, 20 March 1845.
82. BROCKVILLE RECORDER, 27 March 1845.
83. LA MINERVE, 20 March 1845.
84. BRITISH COLONIST, 4 April 1845.
85. IBID.
86. MONTREAL GAZETTE, 20 March 1845.
87. LA MINERVE, 20 March 1845.
88. MONTREAL GAZETTE, 20 March 1845.
89. IBID.
90. BROCKVILLE RECORDER, 27 March 1845.



WEDNESDAY, 19 MARCH 1845.

(374)

10 O'Clock A.M.

Agriculture,  
Upper Canada.

AN engrossed Bill for the encouragement of  
Agricultural Societies and Agriculture in Up-  
per Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Webster do carry the said Bill to the Legislative  
Council, and desire their concurrence.

(375)

Petitions read.

Pursuant to the Order of the Day, the follow-  
ing Petitions were read:--

Of Messieurs G. B. Asselin and Company, and others, Tinsmiths, of  
the city of Montreal, praying that a tax equal to that which they pay  
may be imposed upon Pedlars of tinware, or that they be prohibited  
from disposing of their goods at present.

Of the Reverend William Bettridge, B. D., and others, members of  
the Church of England, in Woodstock, in Canada, praying that no mea-  
sure affecting King's College may be entertained at this late period  
of the Session.

Of John Steele and William Kingston, on behalf of a public meeting  
of the town and township Superintendents and Trustees of Common Schools,  
in the district of Newcastle, praying for certain amendments to the  
Common School Act.

Of William Baker and others, of Gaspé Bay, praying that the Bill  
for the regulation and preservation of the Salmon and other Fisheries  
may not pass; and that certain powers and privileges be granted to them  
in their township meetings.

Of G. H. Ryland, Esquire, Registrar of Quebec, complaining that the  
Government has not performed certain engagements entered into with him,  
and praying relief.

On motion of Mr. Cameron, seconded by Mr. Smith, of Wentworth,

Ordered, That the Petition of James W. Ritchie and others, Stockholders  
in the Great Western Railroad Company, praying that their charter  
may be revived and amended, be now read, and that the Rule of this  
House of the 28th June, 1841, be dispensed with as to the present  
Petition.

The said Petition was read accordingly.

Petitions  
referred.

J. W. Ritchie  
and others.

Resolved, That the Petition of James W. Ritchie and others, Stockholders in the Great Western Railroad Company, be referred to a Select Committee, composed of Mr. Cameron, Mr. Smith, of Wentworth, Mr. Webster, Mr. Woods, and the Honourable Mr. Attorney General Draper, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Murney,

H. Atkinson,  
Esquire, and  
others.

Ordered, That the Petition of Henry Atkinson, Esquire, and others, of the city of ... ((Montreal)) praying that no augmentation of the number of representatives in the Council of the said city may be made, be now read, and that the Rule of this House of the 28th June, 1841, be dispensed with as to the present Petition.

The said Petition was read accordingly.

On motion of Mr. Price, seconded by the Honourable Mr. Aylwin,

State of Accounts,  
Indian Department.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all correspondence which has passed between His Excellency and Samuel P. Jarvis, respecting the state of the Accounts of the Indian Department, or any matter relating to the said Accounts.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Petition of  
G. H. Ryland,  
Esquire.

Ordered, That the Petition of G. H. Ryland, Esquire, Registrar of Quebec, be printed for the use of the Members of this House.

Salaries of the  
Officers of the  
House.

Mr. Dunlop moved, seconded by Mr. Dickson, that the resolutions of this House of the 19th July, 1841, and the 30th November, 1843, respecting the Salaries and Duties of the officers of this House, be rescinded, and that the following be adopted in lieu thereof, to regulate the same in future:--

STATEMENT shewing the several Officers and Clerks in the employ of the Legislative Assembly of the Province of Canada, in the receipt of Annual Salaries; the period when they first entered its service, and the Salaries which it is recommended should be allowed to each one of them, with a view to render the amount fixed and permanent for the future; prepared in conformity with the Resolution of the House of the 24th February, 1845.

Designation of Office.	Name of present Incumbent.	When he first entered.	Present rate of Salary.	Salary recommended in future.
			£	£
Clerk ... ..	Wm. B. Lindsay	1808	600	700
Assistant Clerk ... ..	G. B. Faribault	1812	460	560
Chief Office Clerk... ..	Wm. P. Patrick	1818	350	425
Second Office Clerk... ..	Thomas Vaux	1829	225	250
Chief Clerk Committees ... ..	William Ross	1820	300	425
Assistant Clerk Committees.	Alfred Patrick	1827	250	250
Assistant Clerk Committees.	Alfred Todd	1833	200	250
Clerk French Journals ... ..	P. E. Gagnon	1815	225	250
Clerk English Journals ... ..	G. M. Muir	1831	225	250
English Translator and Law Clerk... ..	G. W. Wicksteed	1828	350	425
Assistant English Translator	W. B. Lindsay, jr.	1841	200	200
French Translator ... ..	Henri Voyer	1832	250	275
Assistant French Translator	... ..		200	200
Assistant French Translator	... ..		200	200
Assistant French Translator	... ..		200	200
Junior Clerk... ..	J. B. Moraud	1831	150	150
Junior Clerk... ..	Thaddeus Patrick	1835	150	150
Junior Clerk... ..	Henry Hartney	1839	15s. p. diem	150
Junior Clerk... ..	King Barton	1842	"	125
Junior Clerk... ..	W. H. LeMoine	1842	"	125
Librarian ... ..	William Winder	1836	200	250
Assistant Librarian.. ..	Alpheus Todd	1836	200	225
Sergeant-at-Arms ... ..	G. K. Chisholm	1841	150	200
Door-keeper ... ..	Hugh M'Lellan	1833	60	75
Chief Messenger ... ..	A. L. Cardinal	1836	100	115

Mr. Christie moved, seconded by Mr. Price, That the further consideration of the said motion be postponed until the next Session.

The question having been put on the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, accordingly.

Norfolk con-  
tested Election.

Mr. Dunlop, from the Select Committee appointed to try the merits of the Petition of David Duncombe, Esquire, late a candidate for the county of Norfolk, and others his supporters, complaining of the undue election and return of Israel Wood Powell, Esquire, presented to the House the final Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

"The Select Committee appointed to try the matter of the Petition of David Duncombe and others, complaining of the undue election and return of Israel Wood Powell, Es-

(376)

quire, as a member to serve in this present Parliament, for the county of Norfolk, beg leave to report:--

"That they have agreed to the following Resolutions:--

- "1. Resolved, That Israel Wood Powell, Esquire, was duly elected and returned as a Member for the county of Norfolk, at the last election.
- "2. Resolved, That the defence of the said Israel Wood Powell against the Petition of David Duncombe and others, is not frivolous or vexatious.
- "3. Resolved, That the Petition of the said David Duncombe and others, is not frivolous or vexatious.
- "4. Resolved, That Titus Williams, Esquire, the Deputy Returning Officer for the township of Walsingham, has been guilty of an infraction of duty in closing the poll for that township, without sufficient cause, before the hour of five o'clock, on the second day of the election; but there is no evidence to satisfy this Committee that such infraction of duty proceeded from any wilful or corrupt motive.

W. DUNLOP,  
Chairman.

Committee Room No.3,  
17th March, 1845.



Public  
Accounts.

*The Order of the Day for the House in Committee on the Bill to prescribe the manner in which the Public Accounts shall be annually laid before the Legislature, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Williams took the chair of the Committee,*

MR. COLVILLE objected to the Bill, as, in his opinion, it should proceed from the Government. When he saw Mr. Hamilton Merritt gazetted as Inspector-General, instead of Mr. Robinson, resigned, he would then perhaps give it his support.<sup>1</sup>

A motion was made by MR. HALE that the committee should rise<sup>2</sup>.

((This motion)) was carried<sup>3</sup>.

(376)

*and after some time spent therein,*

*Mr. Speaker resumed the chair.*

*Then, the House adjourned until four o'clock, P.M., this day.*

4 O'Clock, P.M.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

*The Legislative Council have passed the following Bills, without any amendment:--*

Notaries,  
Lower Canada.

*"An Act to repeal certain Ordinances therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners' Courts in Lower Canada."*

Island of  
Orleans.

*"An Act to detach the island of Orleans from the county of Montmorenci, for the purposes of Registration of Titles, and to establish a Registry Office in the said island."*

Riding fast  
over Bridges.

*"An Act to prevent persons riding or driving at a fast rate over Bridges of more than a certain length in Upper Canada."*

*And also,*

*The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly:--*

Wild Fowl  
Protection.

*"An Act to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent the trapping of Grouse and Quail in this Province."*

Profanation of  
Lord's Day.

*"An Act to prevent the profanation of the Lord's Day, commonly called 'Sunday' in Upper Canada."*

*And then he withdrew.*

To quiet the  
Title of Lands.

*The Order of the Day for the second reading of the Bill to quiet the title to Lands of persons naturalized under the Statute of Lower Canada, of the 1st William IV., chapter 53, and for other purposes therein mentioned, being read,<sup>4</sup>*

*The Counsel against the Bill was called in and heard, and then directed to withdraw.<sup>5</sup>*

*The Honourable Mr. Aylwin moved, seconded by Mr. Christie, that the said Bill be now read a second time.*

MR. AYLWIN said that the points raised in the argument of the Counsel were pretty much the same as those urged at the bar last night in another case, and he must confess that he concurred in the doctrine laid down as a general rule, but cases would arise which must be exempted from the rule, and such was the one before the House. It was contended by the Counsel, that this bill, if passed, would virtually set the House above the decision of the Privy Council; it was contended that this House should not interfere with the decision of the ordinary tribunals of the country, and that to do so, it would degrade them. The answer to that argument was very plain. This House enjoys power within the Colony co-extensive with the powers of the English Parliament, and as a proof, he would adduce the introduction of a Bill of Divorce during this session. From that Bill he drew the inference that the House had the most perfect right to pass this. With reference to the country from which the Province derived its institutions, it was well known that if ordinary tribunals could not render full Justice, an appeal was made to the King in his judicial capacity, and that a decision was given in equity that the petitioner would not be able to procure otherwise. Now, in the old Colonies, a great many circumstances made it necessary to adopt some measures for giving relief where the ordinary tribunals could not do so, and it was done, by giving the party aggrieved the right of appeal to the legislature where he got the same

remedy, as he would in England, from the Chancellor of the Imperial Parliament. When that was done in the old colonies, and when a decision in a case which attracted the attention of the whole empire was lately set aside by the Lords in their judicial capacity, why should it be extraordinary, that the house should, extend a protecting shield to a man who had been injured, not in consequence of his not having rights, but in consequence of the absence of a sufficient remedy to confirm him in them, - from the imperfection in fact of modus operandi? As to the facts of the case, Joseph Donegani was an alien, although he had been in the enjoyment of his property - although he was to all intents and purposes a British subject - although he was acknowledged to be a good citizen, yet he was an alien, and as such, the decision given by the Court on the suit instituted by the petitioner's nephews was a legal decision. The decision was strictly legal at the time: there can be no doubt of it; but it was founded on an unnatural law for we are all God's creatures destined to enjoy the earth in common, therefore none of us are aliens in this world, but it is one of those means that States adopt for self-preservation. But even although the law was such, was it to be enforced after Shylock's fashion? When a man comes to this House and says that for his sins he happened to be born an Italian or a Turk, and wishes to be naturalized in order to enjoy the privileges of a British subject, would this house throw obstacles in his way? He should think not; the same necessity was felt in Lower Canada, and an act was passed naturalising a large class of persons. And what were the benefits conferred by that act? Not the mere benefit of denization. No; the act declared that they were not only British subjects, but to enjoy the same privileges as if born such, and with reference to any property they might have a right to lay claim to, to hold and enjoy it with all the rights and privileges of natural born subjects. Then how stood the case at the time the bill passed? A suit had been brought after the expiration of twenty years by the petitioner's nephew, whilst it was pending, a bill was passed by the House, and reserved for the Royal Assent; the court was then called on for its decision, and gave it after the reservation of the bill, and before the proclamation announcing the Royal Assent to it has been made in this Province. An appeal from the decision is made to the Court of appeals at Quebec, which confirms the decision of the inferior court; an appeal is made from that decision to the King in Council. The petitioner said to the Lords, give me the benefit of the act which has been passed fifteen months since. No, was the reply; since the law has a retroactive effect, you find a sufficient remedy in the Colony, and, we must send you back for our redress, which there is no doubt you will get. The petitioner has now come to the Provincial Legislature, and was the House to be told that it must not interfere with the decisions of the Court of King's Bench. Hon members might repeal their own acts, but the decision of the Court of King's Bench - oh! that is above all. It put him in mind of the story of the Maitre de danse, and the Maitre de philosophie. The Maitre de danse was asked why he demanded more than his confrere. Oh!, replied he "Le Philosophie c'est quelque chose, mais la danse." - The acts of this House are something, but the decisions of the Court of King's Bench



are above all interference. Was this man to be deprived of the rights which the Legislature gave him, because judgment in a suit was delivered before the Act had received the Royal assent? He should say certainly not, and he would here call the attention of the House to a clause in the act which says it shall have a retroactive effect, and that every one under its operation shall be entitled to all property heretofore belonging to them. You cannot repeal that act without doing a vast amount of injury. The question was, should the decision of the court prevent the House from carrying out the law that was then passed; will it say that the decision of the Court of King's Bench gives a better title than an act of this House? That is the question, a question of peculiar character and import. His Excellency the then governor acted according to his instructions in reserving the Bill, but, on that account, will the House now frustrate the intentions of the Lower Canada Legislature, and not merely of the Provincial Legislature, but of the King himself? For it is not at present a struggle between the Courts of Quebec and Montreal, but between the Courts of Quebec and Montreal on the one side, and this House and the King on the other.<sup>6</sup>

SOL. GEN. ((HENRY)) SHERWOOD had nothing to retract or be ashamed of, in the opinion that he gave a few days since on this case. He felt a good deal of diffidence in arguing the case, on account of the French law being mixed up with it, but it is one of so much importance, acting as a precedent for future occasions, that he could not refrain from expressing his opinion and would record his vote, even if alone, against such a proceeding. As he understood the case, the Grandfather of Joseph Donegani bequeathed him the whole of his real estate, and after being in possession for twenty years, the nephews of Joseph Donegani instituted an action against him, and obtained the property. In this the law of Lower Canada differs from Upper Canadian law, it being impossible for a British subject to hold property belonging to an alien. The judgment of the court was appealed from, where it was affirmed, and thence carried to the Privy Council, which concurred in the decision of the Court of Appeals. Since that time Joseph Donegani has brought an action against his nephews, which is now pending in the Court at Quebec, and the House is now called on to say what the law shall be before the judgment is given. And he must say, that under those circumstances, the bill is premature. That was one objection that he had to it. He could not conceive that whilst Jos. Donegani has, by the advice of his counsel, appealed, and the suit is still before the Court, that the House should pass a law especially affecting the case till it is decided, if he can get redress there let him do so. He did not mean to say that the bill impugned the decision of the Court, but merely that passing it at this moment would be premature, and he had a decided objection to any law being passed which would avowedly affect a case that is pending. If the construction of the law is such as to give the petitioner redress, then let him wait for the decision, and if he be so relieved, it will then be high time for him to come here. With reference to the construction of the statute, and with all due deference to the hon. member for



Quebec for the ingenuity shown by him, he must be allowed to differ with him as to the meaning it conveyed. He could not believe that it was intended to disturb persons in the possession of their property or in their private rights, but he could well understand that it said from this time henceforth he shall enjoy all the rights and privileges of a British subject, to hold, possess, and enjoy real estate; but would it be consistent with justice to give to those persons any property that they might have previously claimed? Had Joseph Donegani sold the property, the person who purchased it would have had a good title by the sale or by a judgment of the court, but he could not conceive for one moment that the act of naturalization distorted the right given by a judgment of the court, which is still in force previous to the passing of that act, but that it referred to whatever real estate he might still have in his possession, and to confer on him henceforth all the right ((sic)) of a natural born subject. But the property which was given to the petitioners' nephews by the decision of the court, was to all intents and purposes theirs to enjoy for ever, and no act of this House could take it from them, without an infringement of those principles that British subjects always have sustained as sacred. If the bill which is now before the House had declared that it was intended to confer on Jos. Donegani, the privileges therein claimed for him, he felt convinced that it would have been scouted on all sides; perhaps the hon. gentleman would not have procured five votes for it. But the injustice of the bill was concealed by making it appear to be a general measure; but if it were confined to procuring for Joseph Donegani possession of that property which was adjudged to his nephews by the decision of the Court, the injustice of it would be so apparent, that he felt certain it would be universally scouted. He conceives that the parties are apprehensive the suit for the Court of Appeals will terminate in their favour, and they now come to the House for assistance while the suit is still pending. Was it to be supposed that when the Lower Canada Legislature passed the act of naturalization they thought they were going against the judgment of the court, that they ever intended to take from the person whom the court declared to be the heir, the property to which its decisions gave him a title? No such thing - at least he could not suppose so. But if the judgment had been given previous to the passing of the act, would the Legislature have then passed an act with a retroactive effect, to destroy the effect of that decision? They never would have done so, the injustice would have been too glaring, too apparent, and he was bound to say, that since he was taunted by the hon. member for Quebec, with giving an opinion that no lawyer would give, he had examined the meaning of the statute again and again, and weighed every sentence in it, and was confirmed in the opinion that he had previously expressed, and therefore could never consent to give his vote in favour of such a bill.<sup>7</sup>

MR. JOHNSTON said it was a most dangerous doctrine that the Sol. General was preaching, injuring Mr. Joseph Donegani through a quibble of the law. He would advise the hon member to read the passage in the New Testament which told him to do as he would be done by. Suppose that

a man in making his will left £25 to one child, and another he did not care so much about, should be left only 2s 6d, well that will was sacred, it must not be interfered with. Now Mr. Donegani's father made him the heir of his property which was set aside by a court, and the Sol. General wanted the House to support the decision, it must all be points of law with him, but members did not come here for points of law, they came here for equity, and he hoped that the House is composed of a sufficient number of honest men who will do justice without minding special pleading, quirks, quibbles or COGNOVITS. (Loud Laughter.) It was all special pleading with the Sol. General, all special pleading; he (Mr. J.) could not understand more than half of what he said. Was it the fault of Mr. Donegani that he was born an Italian? He came here when he was only a child and assisted his father in amassing a large fortune, and after enjoying that fortune for twenty years, his nephews say, we will strip him of everything, and turn him out on the world, and why, because he was an alien; could he help himself? - (no, no, and laughter) -- was it his fault that he was not born a British subject. (Hear.) It was very cunning certainly, and the Sol. General had gone over his ground well, he had not the slightest doubt that the member for Portneuf would bring out all his law presently, but the house must remember that they did not come there to mind points of law.<sup>8</sup>

MR. DRUMMOND would ask, was there any precedent for the course pursued by the hon member for Quebec, on the present occasion, in attempting to set aside the decisions which had been allowed in this Province, and also by the Privy Council. He felt almost certain there could not be one found. Hon. members would wish to set these three decisions aside, and by means of whom? By a body competent surely to pass laws, but most incompetent to apply them, as every lawyer must know from the incompetency of the House to take depositions on oath. He felt certain that many hon members intended to vote in favour of the bill, merely because it appeared a hardship to take this property from Jos Donegani on account of his being an alien; and as to the equity of the case, a large property was left in Italy, much larger than the property here contended for, and John Donegani was unable to possess any of it on account of his being an alien, so that the equity is altogether on the other side. He was bound to oppose this bill both by his vote and voice, as an attempt at a flagrant injustice, and which would unsettle in future the Administration of the law. Men will no longer sleep secure in its decisions when they once see that the decisions of the Court may be set aside by the vote of a number of listless men who take no interest whatever in the question under their consideration, (hear.) It was evident that this bill would have been allowed to slip through unopposed were it not for Counsel appearing at the Bar, and two or three gentlemen worthy of attention speaking on it. He looked upon the bill before the House as a most dangerous one, perhaps it would have been less so if it stated on its face that it was merely intended to set aside Mr. John Donegani from the succession to this property, but certainly on principle, it would not have been less objectionable. In the case of Mr. Barber last session, who applied for an act of naturalization, in order to possess him-

self of lands which would otherwise have gone to Mr. Harwood, there was no parallel to this. Mr. Barber was put into possession of the property without Mr. Harwood having taken any action or any proceedings to possess himself of them; whereas in this case Mr. John Donegani had obtained a judgment, and therefore a good title to the property before the act of the Lower Canada Legislature became law; and he knew moreover that the first lawyer in Canada was opposed to the vote given by the House on that question. With regard to the £500 which was to be paid to John Donegani, according to the will, he would set that in such a light as would show how dangerous it is to tamper with legal rights. The £500 would be lost to John Donegani forever, for it should have been registered according to law, and as that has not been done, and as it is admitted that it has not been paid, this £500 is not on the property, but if the interest had been paid regularly, the whole sum would at the present day be far more than the value of the contested property.<sup>9</sup>

(376)

Mr. Armstrong moved, in amendment, seconded by Mr. Chabot, that the word "now" in the said motion be struck out, and the words "this day six months," be substituted.

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Bertrand, Boutillier, Chabot, Chauveau, Desaunier, Diamond, Franchère, Guillet, Lacoste, Laurin, LeMoine, Macdonald of CORNWALL, Méthot, Morin, Papineau, Solicitor General Sherwood and Taché--(18.)

NAYS.

Aylwin, Baldwin, Berthelot, Cameron, Cauchon, Christie, Cummings, Attorney General Draper, Dunlop, Gowan, Greive, Jessup, Jobin, Johnston, Laterrière, Leslie, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Moffatt, Powell, Petrie, Price, Prince, Robinson, Rousseau, Scott, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Thompson and Williams--(33.)

So it was passed in the negative.

The question being put on the main motion, was agreed to by the House, and

The said Bill was read accordingly, and committed to a Committee of the whole House.

Mr. Smith, of Frontenac, took the chair of the Committee,



ATT. GENERAL DRAPER ((suggested)) several amendments<sup>10</sup>.

((These)) were concurred in by the House.<sup>11</sup>

(376)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Preservation  
of Salmon,  
Upper Canada.

The Order of the Day for the second reading of the Bill to repeal and reduce into one Act, the several Laws now in force for the preservation of Salmon, in that part of this Province formerly Upper Canada, and for other purposes therein mentioned, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Merritt took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Merritt reported that the Committee had gone through the Bill, and had made several amendments thereto; which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

(377)

Public Lands.

The Order of the Day for the House in Committee on the Report of the Special Committee to which was referred the Bill to extend the provisions of the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to enable persons who located lands prior to the 4th April, 1839, to perfect their titles to the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. Prince took the chair of the Committee,<sup>12</sup>



MR. MERRITT moved the adoption of a resolution purporting that the proceeds of the Crown Lands cannot be laid out in a better manner than in contributing to the support of the Grammar Schools, throughout the Province. He said that whoever had seen the dissatisfaction in U. Canada, on account of not employing these lands for the Grammar Schools would at once see the necessity and even policy of doing so; and the whole object of the bill is to find out what quantity of land at present belongs to the Crown.<sup>13</sup>

MR. MORIN approved highly of the principle contained in the motion, but it was not sufficiently specific. He would wish to know whether it was intended to apply the whole of the revenues arising from the King's Posts, the Forges of St. Maurice and other sources to this purpose.<sup>14</sup>

MR. MERRITT said that it was intended to appropriate all the proceeds of the Crown Lands, which are of more value in Upper than in Lower Canada, to this purpose in both sections of the Province, as the Upper Canadians are interested in having the entire population educated.<sup>15</sup>

MR. MORIN ... ((spoke of)) the inexpediency of spending as revenue the proceeds of the public lands ... ((and)) at the same time shewed that the lands were pledged for the redemption of the scrip and that it would probably be ten years before that scrip would be redeemed.<sup>16</sup>

MR. GOWAN, at considerable length, refuted the attack that is constantly made on Upper Canada, that she is an expense and a burden to the lower section of the Province, and showed from the returns of the last year that on almost every taxable article the sum contributed to the General Revenue by the Upper part of the Province more than doubled that arising from Lower Canada. He also alluded to the expense caused by employing a Crown Lands agent in every district in the Province, and their numerous defalcations. Out of the Upper Canada Districts, six agents have been defaulters, of twelve or thirteen others he knows nothing, but called loudly on the government to put some check on this system, by which the agents are allowed to receive large sums of money of which the government hears nothing more.<sup>17</sup>

MR. CAMERON hoped the hon. member would consent to delay his motion, as various claims must yet be satisfied out of the territorial revenue, and it was a measure that should be brought in by ministers alone. As to the defalcation of the six common land agents, he certainly was astonished at it, and will tomorrow move an address to His Excellency to endeavour to find out what has become of the money.<sup>18</sup>

MR. DRAPER ((argued against)) Mr. Merritt's scheme. He ... ((claimed)) that practically no benefit could arise to the public. There was already a permanent appropriation of £50,000 for education and the whole of the territorial revenue was paid into the consolidation fund out of which

the school money was paid. If therefore you diminished the charge for education on the one hand, you diminished the revenue on the other. Mr. Draper went on to show that the Consolidated Revenue was already pledged for a variety of charges, and that it would be highly inexpedient to abstract any of the revenue therefrom. Mr. Draper was proceeding in his speech when he was interrupted by the flinging of bills about the House in school boy fashion. He paused and moved that the committee rise and report progress observing that it was time to adjourn when hon. members descended to school boy trifling.<sup>19</sup>

(377)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Prince reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

Public  
Improvements.

The Order of the Day for the second reading of the Bill, to correct and amend an Act passed in the 4th and 5th Victoria, cap. 28, entitled, "An Act to appropriate certain sums of money for public improvements in this Province, and for other purposes therein mentioned," being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cauchon took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cauchon reported, that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Ordered, That the remaining Orders of the Day be postponed until tomorrow, and be then the first orders of the day.

Then, on motion of the Honourable Mr. LaFontaine,

The House adjourned.

FOOTNOTES - 19 MARCH 1845.

1. MONTREAL GAZETTE, 22 March 1845.
2. IBID.
3. IBID.
4. The debate on this matter was reported by: MONTREAL GAZETTE, 22 March 1845; LE CANADIEN, 24 March 1845; LA MINERVE, 20 March 1845; and in identical accounts in BROCKVILLE RECORDER, 27 March 1845, and MONTREAL TRANSCRIPT, 20 March 1845.
5. Mr. Turcotte was the Counsel for John Donegani.
6. MONTREAL GAZETTE, 22 March 1845.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. The debate on this matter was reported by: MONTREAL GAZETTE, 22 March 1845; and PILOT, 22 March 1845, which also contains a commentary.
13. MONTREAL GAZETTE, 22 March 1845.
14. IBID.
15. IBID.
16. PILOT, 22 March 1845.
17. MONTREAL GAZETTE, 22 March 1845.
18. IBID.
19. PILOT, 22 March 1845.

THURSDAY, 20 MARCH 1845.

(377)

10 O'Clock, A.M.

Culling and  
Measurement  
of Timber.

AN engrossed Bill, to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act 7th Victoria, chapter 25, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned."

Ordered, That Mr. Stewart, of Bytown, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions  
Read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Dunkam Jones, Esquire, Captain of the 2nd Regiment of Grenville Militia, and others, praying that they may receive grants of Land, in consideration of their services during the late war with the United States of America.

Of John Stagner, and others, of the town of Queenston and its vicinity, praying that an inquiry may be instituted into the proceedings of the Committee appointed to receive subscriptions for, and superintend the re-erection of the Monument dedicated to the memory of General Sir Isaac Brock, on the Queenston Heights.

Of Janes Johnson and others, of West Gwillimbury, and other townships in the county of Simcoe, west of Bond Head, praying that the whole amount of money granted for the improvement of the road from Bradford to Barrie, via Bond Head, may be expended upon the same.

Of the Reverend Adam Townley and others, members of the United Church of England and Ireland, in the township of Dunn and its vicinity, praying for the repeal of the Common School Act, and the adoption of some measure whereby religious instruction may be provided.

Of the Reverend George Milne, M.A., and others, members of the Church of England, in New Carlisle, Paspebiac, and country adjacent, praying that measures may be adopted for vesting in the Church Society, of the diocese of Quebec, for the benefit of the said Church, a portion of the Clergy Reserves, corresponding to their share of the income arising from the same.



Of George Forbes, of the city of Toronto, late a Sergeant in the 79th Regiment, praying that other land or scrip may be granted to him in lieu of that which he has located, the same not being susceptible of improvement.

Of Hamilton D. Jessup, Esquire, and others, members of the Board of Police, and inhabitants of the town of Prescott, praying that the ferry between Prescott and Ogdensburgh may be placed under the control of the said town.

Of the Mayor, Aldermen, and Citizens, of the city of Quebec, praying that the voluntary tax now paid by the shipping for the support of a River Police may be made permanent, and that the Collector of Customs be authorized by law to collect and pay the same over to the Corporation of the said city for that purpose.

J. E. Small,  
Esquire.

Of James E. Small, late of the city of Toronto, in Upper Canada, now of Montreal, in Lower Canada, Esquire, setting forth:--

That your Petitioner is a Freeholder and an elector of the third, or East Riding of the county of York, in the Home district, and Province of Upper Canada, and as such was entitled to vote at the last general election for a member to represent the said Riding in Provincial Parliament; that at the said last general election your Petitioner was a Candidate to represent the said Riding in Parliament, and was opposed on that occasion by one George Munroe; that Your Petitioner was elected by a majority of between thirty and forty votes over the said George Munroe, and was duly returned to represent the said Riding in this present Parliament; that in December last a few persons, pretending to be electors of the said Riding, petitioned your Honourable House against the return of your Petitioner, upon the ground of want of qualification; that a Committee of your Honourable House was thereupon appointed to try upon their oaths the merits of the said Petition, which Committee did, as your Petitioner is informed and believes, on Friday the 14th instant, decide that your Petitioner was duly qualified, but "that he was not duly elected or returned, and that the said George Munroe was duly elected and ought to have been returned," notwithstanding that no scrutiny of votes was had before the said Committee; that upon such decision of the said Committee, your Honourable House has directed the

(378)

Clerk of the Crown in Chancery to erase the name of your Petitioner from the return, and insert that of the said George Munroe, who was not the choice of the majority of the electors of the said Riding, to the manifest injustice, in the opinion of your Petitioner, of the said electors and your Petitioner, and contrary to their constitutional rights; that the said Third Riding of the county of York is distant from the place of

sitting of your Honourable House nearly four hundred miles; that it is impossible for the electors of the said Riding to hear of the supposed injustice that has been done them and Petition your Honourable House for redress in proper time, during the present Session.

Wherefore your Petitioner humbly prays, that your Honourable House will, as a mere act of justice, order that the said electors may be permitted within the first fourteen days of the next session to petition your Honourable House against the said George Munroe being allowed to retain his seat, and misrepresent the said electors.

Of the Municipal Council of the district of Huron, praying that a charter may be granted to the said Council, for the purpose of constructing a Railroad between Goderich and Hamilton.

Of the Reverend George S. J. Hill and others, members of the United Church of England and Ireland, in the township of Caledon and parts adjacent, praying that their portion of the Clergy Reserves may be placed at the disposal of the Church Society, of the diocese of Toronto, to be managed by it for the benefit of the said Church.

Of Henry Brant and others, of the Six Nations of Indians, residing on the Grand River, in Canada West, complaining that forty thousand pounds, arising from the sale of their Lands, have been appropriated by the Executive Government to the improvement of the navigation of the Grand River without their consent, and praying relief.

Report on the  
Petition of  
R. G. Belleau  
and others.

Mr. Chauveau, from the Select Committee to which was referred the Petition of R. G. Belleau and others, inhabitants and tenants in the county of Quebec, and other references, with power to report, by Bill or otherwise, presented to the

House the Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix A. A. A.)

Ordered, That one hundred and fifty copies of the said Report be printed in each of the English and French languages, for the use of the Members of this House.

Ordered, That the said Report be committed to a Committee of the whole House, on Tuesday next.

Library.

Mr. Dunlop, from the Standing Committee appointed to assist Mr. Speaker in the direction of the Library, to which shall be referred all matters relating thereto, presented to the House the Second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Since the date of the preceding report, your Committee have continued their investigations into the state and condition of the Library and the extent of its deficiencies, and herewith submit the result for the information and approval of your Honourable House.

The list of Books which they have already recommended to be procured for the Library consists chiefly of English works, and comprises more particularly, those books of reference especially required for the use of members; but in order to carry out the plan that has hitherto obtained in the choice of books, by which a collection may be formed, worthy in every respect the Legislative Assembly of Canada, and capable of affording means of information upon every important branch of Literature and Science, it has been thought advisable to recommend the purchase of other works, calculated to effect that end.

In the two important departments of Science and French Literature, your Committee have found the Library to be very incomplete. With respect to the first of these subjects, they have been fortunately able to avail themselves of an opportunity recently afforded by the sale of the Library of the late Judge Fletcher, from whose collection, which was chiefly of a scientific character, they were enabled to select many valuable works of this description, a list of which is appended, marked A. With regard to French works, your Committee have carefully selected from the catalogue of an eminent bookseller in Paris, such works as they deem most desirable, and have added thereto others that have been recommended to them: for which, including also a further selection of English works, see List B., hereto appended.

In considering the best way by which the additions now and heretofore recommended could be procured, your Committee were informed that there is at present no person acting as agent for the purchase of books, the individual hitherto employed in that capacity, an English bookseller, having been dismissed in consequence of his continual inattention and neglect. It became necessary, therefore, to determine on the most satisfactory method of supplying his place, and to consider whether it was preferable to continue the employment of a London agent, or to entrust the future execution of orders to houses in Montreal. In ultimately making choice of the latter, your Committee have had in view the greater responsibility of persons at hand, to answer for any thing amiss; and the superior facility in promptly executing occasional commissions afforded by persons on the spot, over those who are resident at a distance. They have accordingly authorised the Librarians to make arrangement with Mr. Fabre, a bookseller of this city, to act as agent for the purchase of French works, and with Messrs. Derbishire and Desbarats, Queen's Printer, as agents to procure English publications. The terms on which these parties have consented to act are economical and satisfactory; and it is hoped that in future the orders will be executed in such a manner as to meet the approbation of your Honourable House.



Your Committee have received from the Librarians an application for additional remuneration for extra duties in packing and removing the Library from Kingston to this city, and in the arrangement of the Books in their present locale. This service has been attended with great additional labour and responsibility, and occupied several months. Your Committee have ascertained, that on a similar occasion, when the Lower Canada Library was transferred from Quebec to Kingston, a gratuity was awarded to the then Librarian, Mr. Brewer, and others, who assisted him, for their extra trouble; they therefore concur in recommending that the Clerk be authorized to pay to the Librarian and Assistant Librarian, the sum of fifty pounds each, to recompense them for their additional service.

With respect to such arrangements as may be necessary, during the ensuing recess, to facilitate the reception of the new Books, and to increase the general usefulness of the Institution, your Committee recommend that the Librarians be empowered to cause all requisite alterations to be made in the shelving of the rooms wherein the Collection is deposited,--to procure a stand for the sett of Maps lately purchased,--to employ a person to bind any Books that may require it,--and also to print a new Catalogue for the use of Members before the opening of the next Session.

---

#### APPENDIX A.

Books purchased at the Sale of the Fletcher Library, for the Library of the Legislative Assembly.

Chipman's Principles of Government.  
 Law of Ejectments, and Louisiana Code of Prison Discipline.  
 Ditton's Algebra.  
 Davies' Descriptive Geometry.  
 ----- Differential Calculus.  
 ----- Algebra.  
 Bradley's Practical Geometry.  
 Newton's Principia.  
 Barlow's Mathematical Tables.

(379)

Lacroix Geometrie Algebrique.  
 ----- Algebra and Mathematics.  
 Maumit Leçons de Geometrie.  
 Demoivre Doctrine de Chances.  
 Base du Système Metrique.  
 Observations Gèodésiques.  
 Traité des Sections Coniques.  
 Nautical Almanac and Tables.  
 Connoissance des Temps.



*LaPlace's Celestial Mechanics.*  
*Villarum Anglicanum.*  
*Claprottis Analysis of Minerals.*  
*Martin's Elements of Optics.*  
*Newton's Optics.*  
*Adams on Vision.*  
*Ure's Philosophy of Manufactures.*  
*Bigelow's Technology.*  
*Brande's Outlines of Geology.*  
*Bakewell's Geology.*  
*Lyell's Geology.*  
*De LaBeche's Geology.*  
*Theoretical Geology.*  
*Evans' Steam Engineer's Guide.*  
*Belidor--Science des Ingenieurs.*  
*Stevenson's Civil Engineering of North America.*  
*Hackette--Traité des Machines.*  
*Smeaton on Lighthouses.*  
*Kilborn's Ohio Canals.*  
*Mahan's Civil Engineering.*  
*Smeaton's Power of Wind and Water.*  
*Nugent's Primitives.*  
*Ascham's Epistles.*  
*Musarum Anglicanum.*  
*Kirwan's Mineral Waters.*  
*Sir. H. Douglas on Military Bridges.*  
*Carwan's Geological Essays.*  
*South's Sermons.*  
*Laws of the Colonies.*

---

APPENDIX B.

Additional List of English Works recommended to be purchased for the  
Library of the Legislative Assembly:--

*Stevenson's History of South America.*  
*Rabelais' Works.*  
*Bryant's Dictionary of Painting.*  
*Pilkington's Dictionary of Painting, by Fuseli.*  
*Story on the Conflict of Laws.*  
*----- Commentaries on the American Constitution.*  
*Tomlin's Digested Index to the Crown Law.*  
*Elliott's American Diplomatic Code.*  
*Clark's American Parliamentary Practice.*  
*Revised Laws of New York.*  
*Ayscough's Index to Shakespeare.*  
*1st Volume Statutes of the Realm.*  
*Dictionary of Architecture.*

*Brougham's Political Philosophy.*  
*Russell on the English Constitution.*  
*Hazlitt's Eloquence of the British Senate.*  
*Whewell on University Education.*  
*Ackermann's Numismatic Manual.*  
*Burke's Extinct, Dormant, and Suspended Peerages and Baronetcies.*  
*Crabb's English Synonymes.*  
*White's Natural History of Selborne.*  
*Adams' Defence of the American Constitution.*  
*Barrington's Memoirs of the Irish Union.*  
*Beckford's Italy and Spain, and Portugal.*  
*Hazlitt's Spirit of the Age.*  
*Wilson's (Prof.) Prose Writings.*  
*Carlyle's French Revolution.*  
*Ward on the Revolution of 1688.*  
*Siborne's Waterloo Campaign.*  
*Crabb's Technological Dictionary.*  
*Atlas of the Society for the Diffusion of Useful Knowledge.*  
*Reid and Arnott on Ventilation.*  
*Taylor's, Praper's, and Cameron's Upper Canada Reports, and Upper Canada Jurist.*  
*Upper and Lower Canada Gazettes.*  
*Regulations for Guidance of Colonial Officers.*  
*Some Practical Work on the English Universities.*  
*M'Gregor's Commercial Statistics.*  
*Rogers' Ecclesiastical Law.*  
*Phillimore's Reports.*  
*Gibson's Codex Juris Ecclesiastici.*  
*Tytler's History of Scotland.*  
*Ansted's Geology.*  
*M'Culloch on Taxation and the Funding System.*  
*Stizelecki on New South Wales and Van Dieman's Land.*  
*Lady Willoughby's Diary of the Reign of Charles I.*  
*Marryatt's Settlers in Canada.*  
*Hone's Works.*  
*Evans' Sketch of all Denominations.*  
*Scheller's Latin Lexicon.*  
*Donnegani's Greek and English Lexicon.*  
*Browne's History of the Highlands.*  
*English Hexapla.*  
*Encyclopedia Metropolitana.*

*List of French Books recommended to be procured:--*

*Discours du Général Foy.*  
*Pouissin Puissance Americaine.*  
*Allatz Democratie Nouvelle.*  
*Encyclopédie du 19me Siècle.*  
*Lingard Histoire d'Angleterre.*

Duquesnel Histoire des Lettres.  
 Rohrhacker Histoire de l'Eglise.  
 La Tribune Française.  
 Gerbet Esquissa de Rome.  
 Voigt Histoire de Gregoire VII.  
 Hurter Histoire d'Innocent III.  
 Montrond Les Guerres Saintes.  
 Chefs d'OEuvres d'Eloquence.  
 Grammaire Nationale.  
 Hurter Institutions et des Moeurs de l'Eglise au Moyen Age.  
 Cesar Cantu Histoire Universelle.  
 Le Correspondant, Recueil Périodique.  
 La Maison Rustique du 19me Siècle.  
 Nouveau Cours Complet d'Agriculture.  
 Gasparin Cours d'Agriculture.  
 Villeroi Manuel de l'Eleveur de Bêtes à Cornes.  
 Description et Figures des Céréales Européennes.  
 Culture des Plants Fouragères.  
 Agriculture Pratique de la Flandre.  
 Thouin Cours de Culture.  
 Legislation sur les Chemins de Fer.  
 Constantinople Ancienne et Moderne.  
 Dumont Voyage autour du Monde.  
 Chateaubriand OEuvres.  
 Dupin OEuvres.  
 Courier (P. L.) OEuvres.  
 Delavigne (C.) OEuvres.  
 Fenelon OEuvres.  
 Rabelais OEuvres.  
 Napoleon OEuvres.  
 Arago Leçons d'Astronomie.  
 Armergaud L'industrie des Chemins de fer.  
 Beaumont et Tocqueville System Penitentiare aux Etats Unis.  
 Bougainville Voyage autour du Globe.  
 Brotonn La filiation et des migrations des Peuples.  
 Brué Atlas Universal.  
 Buchez et Roux Histoire Parlementaire de la Revolution Française.  
 Blanqui Cours d'economie industrielle.  
 Capefigue Restauration des Bourbons.  
 Destull de Tracy Elements d'idéologie.  
 Dictionnaire Encyclopédique Usuel.  
 Dufrénoy Elie de Beaumont Leon Coste et Perdonnet--Voyage Metallangique  
 en Angleterre.  
 Delaure Histoire de Paris.  
 Dumont D'Urville Expedition au Pole austral.  
 Eichhoff Histoire de la langue des Slaves, &c.  
 Parallèle de l'Europe et de l'Inde.  
 Encyclopédie des gens du Monde.  
 Evans Constructeur de Moulins.

*Géodésie Traité de la figure de la terre.*  
*Garnit Principes d'economie politique.*  
*Gernier Les puits Artesiens.*

(380)

*Garnier Pagés Dictionnaire et Encyclopedie politique.*  
*Goldsmith Histoire d'Angleterre.*  
*Granier de Cassagnac Histoire des classes ouvrières et bourgeoises.*  
*Granier Histoire des classes nobles et anoblies.*  
*Grellet Manuel des Prisons.*  
*Guizot Histoire de la Revolution d'Angleterre.*  
 ----- *Vie de Washington.*  
*Hachette Traite des Machines.*  
*Hallam Histoire Constitutionnelle d'Angleterre, par Guizot.*  
*Herschell Traite d'Astronomie.*  
*Histoire du Bas Empire et de l'Empire Ottoman.*  
*Histoire du Clergé de France, pendant la Revolution.*  
*Humboldt Essai sur l'ile de Cuba.*  
 ----- *Tableaux de la nature.*  
*Jacobi Histoire de la Corse.*  
*Laborde Itineraire de l'Espagne.*  
*Lamartine OEuvres.*  
*Lamennais Esquisse d'une Philosophie.*  
*Lastergrie l'economie rurale.*  
*Lavallé Histoire des Français.*  
*Langlet Histoire de l'Europe et des Colonies Europeénnes.*  
*Levis du Cultivateur--du Forestier--du Jardinier--du Propriétaire--du*  
*Vigneron.*  
*Bibliothéconomie.*  
*Manuel de l'Etat civil, pour la tenue des registres.*  
*Marcel de Searres Cosmogonie de Morse comparée aux faits Géologique.*  
*Mengin Histoire de l'Egypte.*  
*Histoire des Croisades.*  
*Noel et Carpentier Dictionnaire Etymologique.*  
*Dictionnaire des origines Inventions et Découvertes dans les Arts, &c.*  
*Oraisons funebres Illustrées.*  
*Perrot Collection des ordres de chevalerie.*  
*Querard La France Literaire, &c., depuis, 1700.*  
*Romey Histoire d'Espagne.*  
*Soltyk La Pologne.*  
*Tredgold Traite des machines a vapeur.*  
*Bossuet OEuvres.*  
*Billard des Maladies des Enfants.*  
*Cadet Gassicourt Formulaire Magistral.*  
*Clot Bey Aperçu Général sur l'Egypte.*  
 ----- *de la Peste en Egypte.*  
*Marc Les Questions Medico-Judiciaires.*  
*Parent Duchatelet de la Prostitution dans la Ville de Paris.*  
*Ste. Marie Lectures relative à la Police Medicale.*



Libros { *Conde Historia de la Dominacion de los Arabes en Espana.*  
 Espano- { *Capmany Tesoro de los Prosadores Espanoles, &c.*  
 les. { *Cervantes Novelas ejemplares.*  
       { *Tesoro de Historiadores Espanoles.*  
       { *Ercilla Y Zuniga La Araucana.*

*La Meilleur ouvrage Français sur la Géologie.*

*Du Dictionnaire récent en Français et Espagnol.*

"	"	"	et Italien.
"	"	"	et Allemand.
"	"	"	et Russe.
"	"	"	et Polonais.
"	"	"	et Portugais.
"	"	"	et Suédois.
"	"	"	et Danois.
"	"	"	et Celtique ancien.

Report on  
the Petition  
of the Hon'ble.  
James Crooks.

Mr. Dunlop, from the Select Committee to which was referred the Petition of the Honourable James Crooks, of the district of Gore, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

The Committee of your Honourable House, to whom was referred the Memorial of the Honourable James Crooks, a member of the Legislative Council of this Province, having taken the same into consideration, beg leave to report the draft of an address to Her Majesty on the subject matter complained of in the said memorial; and considering the cause of the memorialist as one of great hardship and injustice, respectfully recommend its adoption to your Honourable House.

By the documents submitted to your Committee, it appears that a short time previous to the declaration of war by the United States of America, in the year 1812, against Great Britain, a vessel of war of the United States, commanded by captain Woolsey, seized the schooner "Lord Nelson" belonging to your memorialist and a brother now deceased, on Lake Ontario, whilst on her return trip from Prescott, without the semblance of justice or excuse, under pretence that that vessel had violated the embargo laws of the United States, but with the view, as your Committee believe, of adding to their maritime strength in case of war, which in fact was declared thirteen days thereafter; which vessel was taken into the service of the United States, armed with twelve guns, and in a night action with Commodore Sir James Yeo, the next year was sunk.

It further appears, that your memorialist urged indemnification upon the American Government, and it was not till the year 1817 that he succeeded in procuring an adjudication in the district Court for the Northern district of the state of New York in his favour; but on presenting an order from the said Court to the Clerk thereof, Thuron Rudd, it was found

that the money was embezzled and the Clerk had become a Bankrupt. The United States thereupon sued out an Extent, seized all the Clerk's property, and incarcerated him for a period of 10 years, and your Committee have reason to believe that \$10,000 at least were recovered from him, but no part of said money was paid to your memorialist, although the value of the said vessel and cargo were included in the sum claimed by the United States, as due to it by the said Clerk.

It further appears to your Committee, that, when application was first made to the United States Government; the President sent a Message to Congress, recommending an appropriation for indemnifying your memorialist, and a sum (it being near the close of the Session,) was added by the Senate to the Bill of Supply, then before them, for that purpose, which was rejected by the House of Representatives, on the ground that in doing so, the Senate committed a breach of their privileges. And when the matter was next brought before Congress, a fictitious case, said to have occurred at Bermuda, was got up as an offset of a vessel called the Lydia, captured during war, and sailing under a British license, and which was ordered to be restored by order in Council, but the Clerk then had also embezzled the money, and it was lost to the owners; this case, it appears to your Committee, is entirely different from that of the Lord Nelson, which vessel was pursuing her lawful trade in the time of peace, whereas the other was captured during war, and protected by a British license, which put her out of the pale of the Laws of the United States, and made her subject to capture by the cruisers of that Republic, and involved the owners in pecuniary fines, and also to punishment, as for a misdemeanor.

Subsequently the House of Representatives directed a Commission, to issue, in order to ascertain in the neighbourhood of the owner, the true value of said vessel; and, on the report of Judge Ryker, passed a Bill to pay the owner \$5000, with interest, from the day of her capture, but it was rejected by a small majority in the Senate towards the close of the Session.

The last application in 1840, to the Government of the United States, appears to have been equally unsuccessful; and your Committee are fully convinced that nothing short of the interference of the Imperial Government, through its ambassador at Washington, will ensure to the owner that Justice to which he is justly entitled, and which has been so long withheld. They, therefore, beg leave to submit the following Address to Her Majesty:--

To the Queen's Most Excellent Majesty,

MOST GRACIOUS SOVEREIGN,

We, your Majesty's dutiful and loyal subjects the

of Canada, in Provincial Parliament assembled, most humbly beg leave to approach your Majesty with our renewed expression of devoted attachment to your Majesty's Royal Person and Government.

We humbly beg leave to lay before your Majesty, the particulars of a case of peculiar hardship, by which a faithful subject of your Majesty, who has devoted a long life in the service of your Majesty's Government, both in the field and in the Legislature, has been seriously aggrieved.

(381)

We crave permission to submit to your Majesty our humble opinion, that the wrong, of which we complain, remaining unredressed, will have a tendency to retard the prosperity of the Province, and restrain the enterprize of its inhabitants, by discouraging the investment of capital in the construction of vessels for carrying on the trade of the Great Lakes; a trade on which in a great measure depends the wealth and advancement of the Colony.

At an early period of the settlement of the western part of this Province; and a short time previous to the breaking out of the late war with the United States of America, a vessel belonging to a subject of your Majesty, called the Lord Nelson, was, in the usual course of trade, returning to Niagara, from Prescott, a town situated at the head of the rapids of the River Saint Lawrence, where the productions of the then Province of Upper Canada were usually deposited on their way to the ocean, and the manufactures of the mother country brought back in return, when she was chased on the open Lakes, fired into, and seized by an armed vessel of the said United States, and carried into an American port; and although security was tendered at the port whence she was taken, by one of the owners, to abide the decision of any charge that might be brought against her, of having violated the Revenue Laws of the United States, yet she was refused to be given up, and upon war being declared by the United States, against your Majesty's Royal Predecessor in June 1812, the said vessel was taken into the service of the United States, armed, and in a night action with your Majesty's fleet on Lake Ontario, under the command of Commodore Sir James Yeo, she was sunk,

We further beg leave to represent to your Majesty, that although the owner has used every possible endeavour to obtain remuneration for the loss of his property, yet to this hour he has been unsuccessful, notwithstanding the Courts of Justice of the United States did decree the payment of the value of the said vessel to him; but owing, as it is said, to the Clerk of the said Court having embezzled that, with other moneys deposited in his hands, the amount of the award has never been paid to him.

The believing  
that a case of greater hardship than the one herein submitted for your Royal consideration could hardly occur, humbly approach your Majesty



with the confident hope that your Majesty will be graciously pleased to cause inquiry to be made; and that should your Majesty be satisfied that a great wrong has been done to a loyal subject, your Majesty will be graciously pleased to instruct your Ambassador at Washington to cause a definite declaration to be made by the American Government; and that if indemnification is longer withheld, that your Majesty will direct such other measures to be taken to obtain justice in the case, as your Majesty may deem proper for that purpose.

Taxes on  
certain Lands,  
Upper Canada.

Mr. Cummings, from the Select Committee to which was referred the Bill to remove all doubts as to the liability of certain Lands in Upper Canada, to be charged with local Taxes, reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Saturday next.

Report on the  
Petition of  
M. F. Valois  
and others.

Mr. Jobin, from the Select Committee to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; the Petition of the Reverend Antoine Duransaux and others; inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Brunette, and others, of Ste. Anne, Pointe Claire, and other parishes, and other references, with power to report from time to time, presented to the House the third and final Report, of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix L. L.)

Ordered, That the said Report be committed to a Committee of the whole House, on Saturday next.

Toll-Bridge,  
River Credit.

Mr. Duggan, from the Select Committee to which was referred the Petition of Samuel Price and others, inhabitants of the Third Riding of York, with power to report by Bill or otherwise, presented to the House a Bill to authorize the District Council of the Home district, or such person as they shall direct, to erect a Toll-bridge over the river Credit, at Fort Credit, on the Lake Shore road, in Toronto township; which was received and read for the first time, and ordered to be read a second time on Monday next.

Adjournment.

Ordered, That when this House doth adjourn this day, it will adjourn until Saturday next, at ten o'clock, A.M.



On motion of Mr. Prince, seconded by Mr. Merritt,

Wild Fowl  
Protection.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent the trapping of Grouse and Quail in this Province, be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 33.--Leave out from "and whereas," to "year," in press 2, line 15, both inclusively.

" 2, " 25.--Leave out from "or if," to "aforesaid," in the 37th line, both inclusively.

" 3, " 12.--Leave out from "and," to "Act," in the 21st line, both inclusively.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Prince do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Prince, seconded by Mr. Merritt,

Profanation,  
Lord's Day.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to prevent the profanation of the Lord's Day, commonly called 'Sunday,' in Upper Canada, be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 10.--Leave out "and," and insert "or."

" 1, " 21.--After the word "day," insert "or to hold, convene, or attend any public political meeting on that day."

" 1, " 28.--After "prey," insert "nor shall it be lawful for any person or persons to bathe in any exposed situation, in any

water within the limits of any incorporated city or town, nor within public view of any place of public worship, or private residence, on the Lord's Day.

(382)

Press 2, line 5.--After "fowl," insert "or fish."

" 2, " 8.--After "prey," insert "or shall bathe in any exposed situation in any water within the limits of any incorporated city or town, or within view of any place of public worship, or private residence on the Lord's Day."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Prince do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Aylwin, seconded by Mr. Christie,

Quebec Forwarding Company.

Ordered, That the Bill to incorporate the Quebec Forwarding Company, be read a second time, on Saturday next.

On motion of Mr. Gowan, seconded by Mr. Roblin,

H. Weeks.

Ordered, That the Message of His Excellency, the Governor General, on the subject of the Petition of Henry Weeks, and the documents accompanying the same, laid before the House, on the tenth of February last, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Macdonald, of Glengarry, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonald reported, that the Committee had come to a resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Saturday next.

On motion of Mr. Dickson, seconded by Mr. Prince,

Report on the  
Petition of  
A. M'Leod.

Ordered, That the Report of the Select Committee, to which was referred the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chauveau reported that the Committee had come to a resolution; which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That this House doth concur in the Report of the Select Committee, to which was referred the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara.

Resolved, That a Select Committee, composed of Mr. Dickson, Mr. Price, Mr. Duggan, and Mr. Macdonald, of Cornwall, be appointed to draw up and report the draught of an humble Address to Her Majesty, in accordance with the said Report.

Compensation to  
Officers of the  
House on the re-  
movals of the  
Seat of Govern-  
ment.

Mr. Prince moved, seconded by Mr. Dunlop, that it be an instruction to the Standing Committee on Contingencies, to consider whether an allowance, as an indemnity, to the various officers of the House may not be made, to compensate them for the extra expense incurred in consequence of the removals of the Seat of Government.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Preservation  
of Salmon.

Mr. Merritt, from the Committee of the whole House on the Bill to repeal and reduce into one Act the several Laws now in force for the preservation of Salmon, in that part of this Province formerly Upper Canada, and for other purposes therein mentioned, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Elementary  
Instruction.

The Order of the Day for the House in Committee on the Bill to make better provision for Elementary Instruction in Lower Canada, being read,

*The House accordingly resolved itself into the said Committee.*

*Mr. Thompson took the chair of the Committee,<sup>1</sup>*

*Several important amendments were made in the Bill.<sup>2</sup>*

*(382)*

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Thompson reported that the Committee had made some progress, and directed him to move for leave to sit again this day.*

*Ordered, That the said Committee have leave to sit again.*

*Then the House adjourned until three o'clock, P.M., this day.*

*3 O'Clock, P.M.*

*Public  
Improvements.*

*An engrossed Bill to correct and amend an Act, passed in the 4 and 5 Victoria, chapter 28, entitled, "An Act to appropriate certain Sums of Money for Public Improvements in this Province, and for other purposes therein mentioned," was read for the third time.*

*Resolved, That the Bill do pass, and the title be, "An Act to correct and amend an Act, passed in the Session held in the fourth and fifth years of Her Majesty's reign, intituled, "An Act to appropriate certain Sums of Money for Public Improvements in this Province, and for other purposes therein mentioned."*

*Ordered, That the Honourable Mr. Robinson do carry the said Bill to the Legislative Council, and desire their concurrence.*

*Elementary  
Instruction,  
Lower Canada.*

*The Order of the Day for the House in Committee on the Bill to make better provision for Elementary Instruction in Lower Canada, being read,*

*The House accordingly resolved itself into the said Committee.*

*Mr. Thompson took the chair of the Committee,*

*MR. PAPINEAU charg((ed)) Mr. Lafontaine with using unfair means against the Bill.<sup>3</sup>*

*M. LAFONTAINE ... ((a dit)) que bien loin de s'attaquer à la mesure, il l'avait empêché d'échouer, et qu'il l'avait soutenue avec fermeté. Seulement il avait dû, lui et ses amis de la chambre, insister sur des*



amendemens nécessaires, afin que le bill fut d'un plus grand avantage pour le pays.<sup>4</sup>

((Mr. LaFontaine was several times interrupted by)) MR. MORIN ... jumping up from his seat and shouting, at the top of his voice, "Les Ministres, ils sont couverts de boue", which ... he repeated ... several times.<sup>5</sup>

The Attorney General ((MR. JAMES SMITH)) took occasion to observe, that if the Ministers were "covered with mud", it was a proof of the dirtiness of those who threw it upon them, as well of the harmlessness of their attempts at mischief.<sup>6</sup>

MR. MORIN said that he would justify his assertion. The Ministers pretended to have among them persons who represented the people of Lower Canada; while in fact those persons did not represent them at all; but worse than that, they had attempted to corrupt those gentlemen who really did represent the wishes and views of the people of the eastern part of the Province.<sup>7</sup>

The Attorney General ((MR. JAMES SMITH)) would be glad to know upon what so serious a charge as that of corruption was founded.<sup>8</sup>

MR. LAFONTAINE immediately rose and said he was prepared then and there to prove attempts at corruption on the part of some members of the Ministry.<sup>9</sup>

Several of the Ministerial side cried out loudly for the facts.<sup>10</sup>

MR. LAFONTAINE would reply to that question, for he was sorry to say that the charge was too true. He then stated ... that the hon member for Megantic had been several times applied to on the subject of making roads through various counties, by hon. gentlemen who represented those counties; and that upon such occasions he had always met the applicants by saying - "Oh! Sir, it is not our fault." "Government is very poor", and other dark and mysterious expressions<sup>11</sup>, ((such as)) "You don't support the Government"; this had particularly occurred with his friend the member of Rimouski (Mr. Bertrand) who was so replied to first by Mr. Daly and then by Mr. Papineau, and in the latter instance several other members were present.<sup>12</sup> He said that these base overtures had ((also)) been made to the hon. members for ... Berthier, and L'Islet.<sup>13</sup> After explaining thus (sic) in English Mr. Lafontaine repeated it in French in order, he said, that Mr. Bertrand might fully understand him, and substantiate his statement if true, or if untrue contradict it.<sup>14</sup>

MR. DALY ... denied that he had ever had any conversation with any member which could bear the interpretation which had been given it by the hon. member for Terrebonne. He called upon the hon. member for Ri-

mouski to give the House a statement of the particulars of what had passed between them.<sup>15</sup>

DR. TACHE rose amid loud cries of "Rimouski", to explain the circumstances which had occurred when he had applied to the honourable member for Ottawa on a similar subject. It was in the reading room and in the presence of the honorable member for Rimouski, and that of Mr. Chauveau. He (Dr. Taché,) had pointed out the advantages of a road through his own county and the honble. member for Ottawa had then said that his remarks were very true, and he would be very glad to do something for that part of the country; but that he (Dr. Taché) did not support the Government, and that really he could not help his constituents.<sup>16</sup>

MR. BERTRAND said that on occasions when he had pressed applications for roads upon the Ministry, he was told that the fault of not having them rested not with the Ministry, but with the people of Lower Canada.<sup>17</sup> He was willing to believe that when Mr. Daly so spoke he was joking. With Mr. Papineau, however, the case was different; he (Mr. P.) seemed to be quite serious, and said that he regretted he could not do more for his countrymen, but that they gave him no support in the Parliament, - if they did he might do something for them. His (Mr. Bertrand's) reply was, must we sell our conscience to procure justice in this House.<sup>18</sup>

MR. PAPINEAU denied ... that he intended to corrupt any one<sup>19</sup>.

The Attorney General (East) ((MR. JAMES SMITH)) put it to the hon. member for Terrebonne, whether the statement the House had just heard was sufficient for such a charge against the administration as that of attempts at corruption. He had said the very same thing himself, once to the hon. member for Portneuf and the honble. member for Montmorenci, but of course only in joke; and he would appeal to either of those gentlemen, whether, when he had done so, they had ever supposed he was making corrupt overtures, or attempting to cajole and bribe them. That very morning he had told the hon. member for the County of Montmorenci, who was pointing out very properly how desirable a certain road would be for the city of Quebec; that for certain weighty considerations he would see what he could do. That if he (Mr. Cauchon) would only give the Ministry one half of the able support which he rendered to the opposition, there would be nothing in the world that the Administration could refuse him. He was quite sure that the character of the hon. member for L'Islet was such as to prevent his hon. friend from Megantic from attempting to corrupt him even if he had been inclined to do so.<sup>20</sup>

The hon. members from Cornwall ((MR. ROLLAND MACDONALD)) and Dundas ((MR. GEORGE MACDONELL)) ((defended)) ... the Ministry.<sup>21</sup>

The latter was however cut short ... by the chairman, (MR. THOMPSON) leaving the chair, declaring that he would no longer listen to such--.<sup>22</sup>

((MR. JAMES SMITH requested Mr. Thompson to return to the Chair.))<sup>23</sup>

MR. THOMPSON resumed the chair<sup>24</sup>.

M. ARMSTRONG voulait faire ajouter ((un proviso)) à la 22me clause, qui dispose en termes généraux que les propriétés imposables seront passibles d'une cotisation proportionnelle à leur valeur jusqu'au montant alloué à même les fonds des écoles, et en sus de l'impôt particulier dont il est parlé dans la section 34. L'amendement de M. Armstrong tendait à substituer une contribution volontaire de la part des habitans des paroisses ou des townships à la répartition que le bill leur rend obligatoire.<sup>25</sup>

MR. LAFONTAINE combattit ... la proposition de l'honorable membre pour Berthier, faisant voir que les ex-ministres étaient liés, par leur réélection, au principe de l'impôt obligatoire, suivant les moyens de chacun, en faveur de l'éducation. Que l'amendement en question faussait essentiellement le principe, et rendrait la loi parfaitement illusoire dans la pratique. Un autre inconvénient du système de souscription, c'est qu'il ouvrirait indubitablement la porte au favoritisme, et rendrait par là la loi odieuse, loin de devenir populaire comme le désirait le député de Berthier. Au lieu que la taxe obligatoire pèsent (sic) également sur les contribuables, en prenant les moyens de chacun pour base, les mettrait dans les conditions d'une parfaite égalité légale, et les ferait aussi concourir au but de la loi avec toute la spontanéité que ne manque jamais d'imprimer le sentiment de la dignité publique ou nationale.<sup>26</sup>

M. ARMSTRONG ... ((rappela)) à l'honorable membre pour Terrebonne qu'il ne pouvait pas lui reprocher de s'être jamais égaré du sentier suivi par la phalange du Bas-Canada. Il admettait que les ex-ministres pouvaient avoir été élus sur le principe de la taxe pour l'éducation, cependant il ne se croyait pas lié à ce principe vis-à-vis de ses électeurs qu'il dit ne s'être pas prononcés là-dessus; il y croyait le comté de Berthier adverse, et c'était pour cela qu'il avait introduit son amendement. Que quant à ses principes politiques, ils étaient les siens (à lui M. Armstrong,) et du moment qu'il différerait de ses honorables amis sur ce sujet, il se croirait obligé de se retirer; à tout événement, on pourrait le mettre de côté. ... ((Il dit que)) son amendement ... était moins une déviation du principe de taxation que la cotisation volontaire admise depuis l'introduction de projet originaire ... . Il fit allusion à l'ordonnance des municipalités, et ... ((dit)) que c'était à l'horreur qu'on avait des taxes qu'elle avait dû son insuccès .... M. Armstrong reconnaissait ... qu'il n'y en avait pas de plus zélées pour le maintien des écoles locales que les classes moyennes de son comté, car elles n'avaient pas, comme les plus riches habitans, les moyens d'envoyer leurs enfans aux collèges.<sup>27</sup>

L'amendement de M. Armstrong fut rejeté à une très forte majorité, les seuls membres qui l'appuyèrent étant MM. ARMSTRONG, DESAULNIERS, DEWITT, LANTIER, LAURIN et ROUSSEAU.<sup>28</sup>



(382)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Thompson reported that the Committee had made some progress, and had directed him to move for leave to sit again.

(383)

Ordered, That the said Committee have leave to sit again on Saturday next.

Municipal  
Authorities,  
Lower Canada.

The Order of the Day for the House in Committee on the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local or Municipal Authorities in Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Duggan took the chair of the Committee,

((The house)) passed fifty clauses.<sup>29</sup>

(383)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Duggan reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Names of  
persons ap-  
pointed to  
Office of Emo-  
lument since  
Prorogation.

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, bearing date the 4th December, 1844, praying for a Return of the names of all persons "who have been appointed to any office of emolument in the Province since the prorogation of the last Parliament, up to this date; with the dates of their

respective appointments, whether temporary or permanent; the amount of Salary in each case; stating the names of such office, and the Statute or other authorities under which such persons have been so appointed; and also, like information from the 10th February, 1841, to the 9th December, 1843."



(For the Documents accompanying the said Return, see Appendix B. B. B.)

Also,

Scholastic  
Institutions.

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, bearing date the 8th of January, 1845, praying for "a tabular statement of each of the Scholastic Institutions, to which an annual grant is made from the funds of the Province, stating the number of Pupils in each."

(For the Documents accompanying the said Return, see Appendix C. C. C.)

And also,

Custom House  
Bonds.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency will be graciously pleased to cause to be laid before the House, a return of the Custom House Bonds, received at the port of Montreal during the years 1842, 1843, and 1844; how many of such Bonds have been paid; how many remain unpaid; upon how many judgments have been obtained, and what proceedings have been taken to enforce such judgments.

(For the Documents accompanying the said Return, see Appendix D. D. D.)

Indian Affairs.

The Honourable Mr. Attorney General Smith, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Sections 1 and 2 of a Report on the affairs of the Indians in Canada, 1844.

(For the said Report, see Appendix E. E. E.)

Ordered, That the remaining orders of the day be postponed until Saturday next.

Then, on motion of Mr. Watts,

The House adjourned until Saturday next.

FOOTNOTES - 20 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 22 March 1845; KINGSTON NEWS, 27 March 1845; PILOT, 22 March 1845, whose account was copied by GLOBE, 1 April 1845; LA MINERVE, 24 March 1845; and EXAMINER, 2 April 1845. ST. CATHARINES JOURNAL, 27 March 1845, merely noted it. A commentary was contained in L'AUORE, 25 March 1845. This question was debated twice, once in the morning and again in the afternoon. However, though all the sources note this fact, and mention that both sittings were extremely long, they do not in their actual reports indicate at what point in the debate the recess occurred. In the reconstructed debates there is only a note about the morning's proceedings while the bulk of the debate is inserted into the context of the afternoon sitting. This is because there is a good deal of evidence that the papers in fact reported the exciting events of the second sitting in detail and only noted that the morning sitting had been largely preoccupied with discussing the bill.
2. PILOT, 22 March 1845.
3. IBID.
4. LA MINERVE, 24 March 1845.
5. MONTREAL GAZETTE, 22 March 1845.
6. IBID.
7. IBID. According to both MONTREAL GAZETTE and PILOT, Morin was unusually agitated and excited during this part of the debate.
8. MONTREAL GAZETTE, 22 March 1845.
9. PILOT, 22 March 1845.
10. IBID.
11. MONTREAL GAZETTE, 22 March 1845.
12. PILOT, 22 March 1845.
13. MONTREAL GAZETTE, 22 March 1845.
14. PILOT, 22 March 1845.
15. MONTREAL GAZETTE, 22 March 1845, which added that Daly had just entered the House immediately before rising to speak.
16. MONTREAL GAZETTE, 22 March 1845.
17. IBID.
18. PILOT, 22 March 1845.
19. IBID.
20. MONTREAL GAZETTE, 22 March 1845.
21. PILOT, 22 March 1845.
22. IBID.
23. IBID.
24. IBID.
25. LA MINERVE, 24 March 1845.
26. IBID.
27. IBID.
28. IBID.
29. MONTREAL GAZETTE, 22 March 1845.

SATURDAY, 22 MARCH 1845.

(383)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Woods, the Petition of Thomas L. Crooke and others, of Sarnia, and other places.

By Mr. Macdonald, of Kingston, the Petition of Robert E. Burns, of the city of Toronto, Esquire.

By Mr. Watts, the Petition of Robert Layfield, and others, residing near the Gosford road, in the county of Megantic, and the Petition of Robert Layfield and others, of the county of Megantic, (relating to election.)

By Mr. Ermatinger, the Petition of J. Draper and J. Crawford, on behalf of the inhabitants of the township of Bayham, in the district of London.

To quite  
Titles  
to Lands.

An engrossed Bill, to quiet the title to Lands of persons naturalized under the statute of Lower Canada, of the 1st William IV. chapter 53, and for other purposes therein mentioned, was read for the third time.

The Honourable Mr. Aylwin moved, seconded by Mr. Guillet, That the Bill do now pass, and the title be, "An Act to quiet the Title to Lands, of persons naturalized under the statute of Lower Canada, passed in the first year of the reign of His late Majesty, King William the Fourth; and for other purposes therein mentioned."

Mr. Chabot moved, in amendment, seconded by Mr. Armstrong, that the words "now" in the said motion be struck out, and the words "this day six months" substituted.

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Chabot, Chauveau, DeBleury, Desaunier, Lantier, Laurin, Macdonald of GLENGARRY, Macdonald of KINGSTON, Méthot, Papineau, Rousseau, and Sherwood of BROCKVILLE,--(13.)

NAYS.

Aylwin, Baldwin, Berthelot, Cameron, Chalmers, Christie, Cummings, DeWitt, Dickson, Dunlop, Ermatinger, Foster, Gowan, Guillet, Hale, Jessup, Jobin, Johnston, Laterrière, Leslie, Macdonell of STORMONT, Merritt, Meyers, Powell, Riddell, Robinson, Roblin, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Watts, Webster, and Williams.--(36.)

So it passed in the negative,

The question being then put on the main motion, it was agreed to by the House, and

Resolved, accordingly.

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the Legislative Council, and desire their concurrence.

(384)

Preservation of Salmon.

An engrossed Bill to repeal and reduce into one Act, the several Laws now in force for the preservation of Salmon, in that part of this

Province formerly Upper Canada, and for other purposes therein mentioned, was read for the third time.

Mr. Cummings moved, seconded by Mr. Merritt,

That the following clause be added to the said Bill, by way of Ryder, and do follow the sixth clause thereof:--

"And whereas it is expedient and necessary, more effectually to provide for the preservation of Fish in the Twenty Mile Pond, in the township of Louth, in the district of Niagara, and to make regulations concerning fishing in the said Twenty Mile Pond:--

'Be it enacted that it shall not be lawful for any person whomsoever, to take or catch, or attempt to take or catch, by setting any net or nets, weir or weirs, any fish in the aforesaid Twenty Mile Pond, nor to take or catch, or attempt to take or catch any fish therein, otherwise than with spear, hook, or line.'"

The said clause being thrice read, and the question being put thereon, it was agreed to by the House.

Resolved, That the Bill do pass.

Ordered, That Mr. Price do carry the said Bill to the Legislative Council, and desire their concurrence.



MR. ((JOHN ALEXANDER)) MACDONALD,<sup>1</sup> of Kingston, moved that the petition of Mr. Ryland, formerly chief clerk of the Executive Council of Canada, should be referred to a select committee.<sup>2</sup>

ATTORNEY GENERAL DRAPER looked upon it as necessary to state the course which the government had thought fit to pursue with reference to this gentleman, who had formerly filled the office of Clerk of the Executive Council of Lower Canada, with an income of £100 per annum. On the Union of the Provinces the government did not think fit to continue him in the situation of Clerk of the Executive Council of Canada, and he was appointed to the Registrarship of Quebec, the Revenue of which, by a letter from Mr. Murdoch, Lord Sydenham's private Secretary, should be increased to the same sum as he had previously received. But after retaining the office for some years, he made a complaint to the government that the net income of his office did not amount to what he was promised he should receive; then came the question how far the letter of Mr. Murdoch was binding on the government, or by what authority that promise was given. (Hear.) The result of the petitioner's application not being satisfactory, he applied to the Secretary of State, who distinctly repudiated the promise contained in Mr. Murdoch's letter, as a promise which the governor had no power to give. (Hear, hear.) The administration have found it out of their power to recommend the prayer of the petition, and therefore unanimously advised His Excellency that the prayer of Mr. Reyland could not be acceded to and all proposed to stand by that advice, but they were not disposed to shut the door upon an enquiry, as the papers were not before the House, if they had been, prepared to stand on the advice they had given His Excellency.<sup>3</sup>

MR. BALDWIN objected to the course taken by Attorney General Draper on this occasion. It appeared to him that when the Ministry had taken so decided a stand, as would appear from what the hon. gentleman had himself stated, that they were (sic) determined to abide by the advice given to His Excellency. They should explain their reasons here for having done so, and resist any motion for reference; and if papers were necessary to explain their line of conduct, they might be laid on the table in the regular way. There was another point in the Attorney General's explanation which he regretted exceedingly, as, in his opinion, it involved an important principle, when the hon. gentleman spoke of the unanimity of the members of the Administration; he objected to that phrase, for it was always supposed that they were unanimous as long as any member remained in the Administration. He must suppose it slipped out by accident; for he could not doubt that, with the Attorney General's clear and lucid mind, he at once saw the importance of such an admission, and therefore he was willing to believe it slipped out by accident. But, nevertheless, it was as well to point out these accidents; for he did not know but that in consequence of recent antagonisms, the Attorney General was anxious

to show that none existed on the present occasion.<sup>4</sup>

ATTORNEY GENERAL DRAPER would explain to his hon. friend, whom he did not wish to see in pain, knowing his anxiety for the welfare of the present Administration. (Hear, hear.) He did not drop the word "unanimous" accidentally, as the hon. member would appear to suppose; for, in accordance with the principles on which the Government is conducted, it must always be supposed that the Ministry is unanimous, except when the contrary is asserted, or when some one question is before the House; but on the present occasion, he did not feel prepared to come down and shut the door on inquiry, when no information was laid before the House; and it was that consideration alone that induced him to take this course, which he believed, if generally pursued, would be much preferable to the one advocated by the hon. member for the Fourth Riding of York. The course, he admitted, would be to bring down all papers connected with the case; but it must be remembered that a different course has been pursued for three years, and he did not wish to meet the motion now on the table with a refusal in limine.<sup>5</sup>

MR. HALL objected to the motion; for if Mr. Reyland were weak enough to believe a promise made by Mr. Murdoch, or Lord Sydenham either, he did not now deserve any consideration, and must be unfitted to fill any situation. For he would have people to know that they must not put any faith in the promises of Governors.<sup>6</sup>

Cheers from the opposition.<sup>7</sup>

MR. GOWAN was in favor of the course taken by the Attorney General; he had given his feeble support to the administration this session, and will still support it, because they are willing to afford every facility for inquiry, to which it would appear that the hon. member, although he was as friendly to Responsible Government as that hon. gentleman who is the father of it in this country, and he would give one instance of the impropriety of that course. He had made several distinct charges against the Board of Works, and on every occasion but one failed in having them referred to a select committee for examination; principally through the influence of the hon. member for the Fourth Riding, but having succeeded in bringing one before a committee, and what has come out? In the course of their investigations the Committee discovered that a letter was written by the Secretary of the Board to a certain contractor to this effect: - "Sir - Your tender has been underbid, and if you do not hasten to this city you will lose the contract." (Hear, hear.) Here was something very well worth knowing; and yet how would it have ever come to light if the Government had shut the door to inquiry instead of opening it, and how could various points in this case come before the House officially, which are only to be come at on investigation by a Committee?<sup>8</sup>

MR. BALDWIN believed the hon. member misapprehended the meaning of

his observations as was often the case. He was not opposed to investigation; all that he wished, was to give the government an opportunity of explaining its conduct, which it could not do if the petition were referred to a committee - then the report of the committee comes on the House suddenly, and it is unacquainted with any of the facts, except such as the report may happen to contain.<sup>9</sup>

(384)

Petition of G.  
H. Ryland,  
Esquire,  
referred.

Resolved, That the Petition of G. H. Ryland, Esquire, Registrar of Quebec, be referred to a Special Committee to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

A committee was struck by ballot.<sup>10</sup>

(384)

Ordered, That Mr. Macdonald, of Kingston, the Honourable Mr. Aylwin, Mr. Christie, the Honourable Mr. Baldwin, and the Honourable Mr. Moffatt, do compose the said Committee.

J. Stayner,  
and others.

Mr. Merritt moved, seconded by Mr. Macdonell, of Stormont, That the Petition of John Stayner and others, of the town of Queenston and its vicinity, be referred to a Select Committee, composed of Mr. Dickson, Mr. Cummings, and Mr. Merritt, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Report on the  
Petition of Mrs.  
Jennet Roy.

Mr. Dunlop, from the Select Committee, to which was referred the Petition of Mrs. Jennet Roy, widow of the late Thomas Roy, Civil Engineer, of the city of Toronto, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee having considered the Petition of Mrs. Roy, praying compensation for certain geological plans &c., presented to the House by her late husband; and also the letter from His Excellency, the Governor General in Council, through the Honourable Mr. Secretary Daly, and having taken the evidence of Mr. Logan, Geologist to the Government, the result of their investigations is as follows:--

The section chosen by Mr. Roy, from the termination of the Coalfields



in Pennsylvania to the valley of the St. Lawrence, was judiciously selected, and any geological survey of the province would be incomplete without it; therefore, if he had not done it, it must have been done at the expense of the Province.

Mr. Logan declines giving an opinion as to what would be an adequate remuneration for the service rendered, but states that Mr. Murray, his assistant, would have required at least a year to complete it, and his salary is £300 per annum, besides his expenses.

Your Committee are therefore of opinion, that a sum of not less than £300 should be paid to Mrs. Roy, as an equivalent for the services of her late husband.

W. Logan, Esquire, Provincial Geologist, called in and examined.--

What do you consider to be the value to the Provincial Government, of Mr. Roy's section from the coalfields in Pennsylvania to the valley of the St. Lawrence; what would it have cost had you executed it; was it a necessary part of the geological survey of the Province; and is the person who made it entitled to any, and what remuneration? -- It would have taken Mr. Murray, my assistant, one year's labour; I am of opinion that the line of country through which the section extends is judiciously chosen, and I considered it necessary to instruct Mr. Murray to examine a line in the same direction, and the surface line of Mr. Roy's section has been adopted by Mr. G. Turner; I must however decline giving any opinion as to the value of the section.

Great Western Railroad Company. Mr. Cameron, from the Select Committee to which was referred the Petition of James W. Ritchie and others, Stockholders in the Great Western Railroad Company, with power to report by Bill or otherwise, presented to the House a Bill to revive certain provisions of the Act incorporating the "Great Western Railroad Company," and to enable them to carry on that work; which was received and read for the first time, and ordered to be read a second time on Monday next.

Registration of Titles, Lower Canada. Mr. Christie, from the Select Committee to which were referred the Bill still further to facilitate the Registration of Titles to Real Property or Incumbrances thereon in Lower Canada, and the Bill to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles and Incumbrances upon Real Property in Lower Canada, reported that the Committee had gone through the latter of the said Bills, and had made several amendments thereto; which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Monday next.



Report on the  
Petition of N.  
Sparks and  
others.

Mr. Stewart, of Bytown, from the Select Committee to which was referred the Petition of N. Sparks and others, of Bytown, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix F. F. F.)

Ordered, That the said Report, together with the Evidence and other Minutes, be printed for the use of the Members of this House.

On motion of Mr. Dunlop, seconded by the Honourable Mr. Morin,

Library.

Resolved, That this House doth concur in the second Report of the Standing Committee appointed to assist Mr. Speaker in the direction of the Library, to which shall be referred all matters relating thereto.

On motion of the Honourable Mr. Baldwin, seconded by the Honourable Mr. Aylwin,

Norfolk con-  
tested Election.

Ordered, That the Minutes of proceedings and Evidence taken before the Select Committee, appointed to try the Petition of David Duncombe, Esquire, late a candidate for the county of Norfolk, and others, his supporters, complaining of the undue election and return of Israel Wood Powell, Esquire, be laid before this House.

(385)

The said Minutes of proceedings and Evidence, were laid on the table accordingly.<sup>11</sup>

MR. BALDWIN moved that that portion of the Report of the Committee upon Mr. Powell's contested election setting forth the misconduct of Titus Williams, one of the Returning Officers for the County, in closing the poll before the time appointed by law, be read. The Hon. gentleman stated his intention to proceed to the punishment of the offender<sup>12</sup>, car il était temps de mettre un terme à l'odieuse conduite de ces officiers.<sup>13</sup>

(385)

Ordered, That the fourth resolution of the said Committee be now read.

The said resolution was read accordingly.

((M. BALDWIN)) ... proposa donc que la plainte fut entendue de la barre, et que le dit T. Williams (sic) y fut cité pour s'y défendre, par son conseil, dans la session prochaine<sup>14</sup>.

(385)

Ordered, That the charge contained in the said resolution against Titus Williams, Esquire, the Deputy Returning Officer for the township of Walsingham, in the said county, be heard at the Bar of this House.

Ordered, That a copy of the said charge be sent to the said Titus Williams, and that he be at liberty to be heard by his Counsel.

Militia Laws.

Ordered, That the Honourable Mr. Attorney General Smith, have leave to bring in a Bill to revive and continue for a limited time a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time, a certain provision of the Militia Law of Upper Canada.

He accordingly presented the said Bill to the House,<sup>15</sup>

Att. Gen. ((MR. JAMES)) SMITH introduced a bill to revive the old Militia Law. He confessed that he had not time to frame a Bill; and as doubts were entertained whether the old law was in existence, he thought it better to bring in a short bill reviving the old law, than to allow it to stand over till next session.<sup>16</sup>

(385)

and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Resolved, That Mr. Prince have leave to absent himself from this House, during the remainder of the present Session.

On motion of Mr. Christie, seconded by the Honourable Mr. Aylwin,

Public  
Accounts.

Ordered, That the first Report of the Special Committee to which were referred the Public Accounts of 1843, laid before this House, on Friday, the 13th of December last, and other references, with power to report from time to time, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Roblin took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Roblin reported that the Committee had come to a resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

On motion of Mr. Merritt, seconded by Mr. Cummings,

Expenses of  
Police Force.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to cause the Inspector General, the Board of Works, or other proper Officer, to lay before this House, within the first ten days of the ensuing Session, a Return of the expenses of the Police Force, Military, and all expenses relating to the preservation of the Public Peace, during the years 1843 and 1844: on what works employed, and out of what fund paid; specifying whether from Provincial Revenue, loan of  $1\frac{1}{2}$  million, tolls, or other source.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

List of Persons  
appointed to  
Office from  
February, 1841  
to December 1843.

Ordered, That five hundred copies of the Return to the Address of this House to His Excellency, the Governor General, praying for a list of the persons appointed to office from the 10th of February, 1841, to the 9th December, 1843, with the amount of their Salary, and the authority under which they were so appointed, be printed for the use of the Members of this House.

Supply.

The Honourable Mr. Robinson moved, seconded by the Honourable Mr. Attorney General Smith, that a Supply be granted to Her Majesty; and a debate arising thereupon,<sup>17</sup>

MR. AYLWIN said it was astonishing, after the difference that had occurred between Ministers on the University Bill, to see the hon. member without informing the House in what manner<sup>18</sup> they have made up the dispute which raged among themselves upon that question<sup>19</sup>, standing up in his place to move the House into Committee on the supplies<sup>20</sup>. He would not permit them to get rid of such a momentous measure by a side wind. The vote he (Mr. Aylwin) had given in favour of the second reading of the University Bill was intended to assist the Bill through; he (Mr. Aylwin) had voted in favour of the University Bill from the desire, and under the conviction that it would be finally disposed of this session and that an end would be thereby put to religious dissensions

and feuds in Upper Canada. The Government were bound to carry the measure through this session, it was the leading measure in the speech from the Throne, distinctly promised to the country. The declaration of His Excellency upon that occasion was a formal, a solemn one, and yet how have Ministers acted; instead of bringing it forward as one of the first questions it was deferred till the end of the session when it would certainly have been defeated but for the consideration which some five or six on his (Mr. Aylwin's) side of the House<sup>21</sup> had felt ((of)) the necessity of legislation on it. Every one knew to what lengths religious feuds and religious dissensions have gone in Upper Canada and the necessity for adopting some means of terminating them, which was the only consideration that could have saved the Ministry<sup>22</sup>. They were bound to resign and should have done so<sup>23</sup>, not that they must expect even a defeat to have saved them or the noble lord at the head of the government. It would all have been a mere farce - a mere mummer<sup>24</sup>. He (Mr. Aylwin) did not apprehend that their resignation would at all affect the progress of the Government<sup>25</sup>. The services of the hon. gentleman would have been secured even in such a case as that, or perhaps they would have been altogether dispensed with, for there is a most important person in this colony, who keeps possession of all the despatches, and through whose hands all the despatches pass, before they are sent to the Colonial office, with the services of this Colonial or Civil Secretary, at his disposal, with the support of such a man as that, His Excellency could easily dispense with the best of his Cabinet. What necessity, for instance, would there be for an Attorney or Solicitor General?<sup>26</sup> There was the useful men (sic) called Queen's Counsel who can always do the duty of Attorney General.<sup>27</sup> And in the event of a slight difference of opinion between Messrs. Papineau and Daly, or Mr. Robinson and the Attorney Generals, what then? All those that quarrel can easily be dispensed with, for it is in His Excellency's power to tell them, I have retained two or three of you; there is no necessity for any more; and then there is the saving - the saving which was so much talked of. It was most extraordinary that from November 1843, up to the present moment, all the efforts of the Administration to fill up the office of Solicitor General East, have been unavailing, although some months ago it was stated in the English Commons that that office was filled up by the appointment of Mr. Barnard. Now there was a fact that he might call on the Ministry in vain to explain, but he could give the explanation. The Solicitor General East must necessarily be taken from the Quebec Bar, that the hon. members of the Executive know well, as they have endeavoured by every possible means to avail themselves of the services of some Quebec member of the Bar, and yet the office has gone a begging, much in the same way as the Attorney Generalship went begging. The most urgent requests were made, "won't you be induced to accept the office?" "no, no," was the reply, "it is too difficult," repeated refusals were returned to so



kind an offer.<sup>28</sup> He (Mr. Aylwin) knew the reason that a Solicitor General could not be procured.... Any one ... who might accept the appointment might go all round the city of Quebec and could not find a single rotten borough to elect him to Parliament.<sup>29</sup> With reference to his hon. friend from Megantic, if he ever went back to his constituency, perhaps he (Mr. Aylwin) would find a little leisure time to go down and meet him at Megantic, and he could tell him what the result of the meeting would be. It would be this: that the hon. member would never come back here to represent - (oh, oh,) he would promise him that he would give his assistance to get him turned out. Such has been the situation of the Government; look at their moral defeat on the University Bill, (oh, oh) - and yet see their statements in the newspapers which are sent abroad to make people on the other side of the Atlantic believe that the government is working most beautifully, that in fact they have the strongest government it is possible to form. (Hear.)<sup>30</sup>

Attorney General ((JAMES)) SMITH asked, what was the question before the House? He had conceived it to be a motion for going into committee of supply.<sup>31</sup>

The Speaker ((SIR ALLAN MACNAB)) said such was the case, and asked Mr. Aylwin to speak to the question.<sup>32</sup>

MR. HALL. - Oh let him go on. He is speaking from the last Pilot.<sup>33</sup>

MR. AYLWIN said he intended to move in amendment that the House should go into committee on the University Bill. (Loud Laughter.) Hon. members on the Treasury Benches laughed and seemed to be a good deal amused, it was a great contrast to their lengthened visages on Tuesday; he however, still remembered with what delight they saw his hon. friend from Saguenay come in with a helping hand to save them from sinking. He would, however, call attention to the necessity of passing this Bill, this is in order to put a stop to the religious discord which rages in Upper Canada, which can only be done by legislation as everyone admits.<sup>34</sup>

MR. JOHNSTON informed the Speaker that it was ((1 o'clock))<sup>35</sup>.

(385)

Ordered, That the debate be adjourned, till the afternoon sitting of the House, this day.

Then, the House adjourned until three o'clock, P.M., this day.

3 O'Clock, P.M.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:--

Chambly Cotton Manufacturing Company.

"An Act to incorporate the Chambly Cotton Manufacturing Company."

Arrears of Taxes, Johnstown.

"An Act to provide for the collection of Arrears of Taxes in the District of Johnstown, and for other purposes."

Ferries.

"An Act for better enforcing the provisions of the Legislature of Upper Canada, for the regulation of Ferries, and for protecting the Rights of Lessees of Ferries."

And also,

Limits of Bytown.

The Legislative Council have passed the Bill, intituled, "An Act to define the Limits of the Town of Bytown, to establish a Board of Police therein, and for other purposes therein mentioned," with several amendments, to which they desire the concurrence of the Legislative Assembly.

And then he withdrew.

Supply.

The Order of the Day being read, for resuming the adjourned debate upon the motion made this day, that a Supply be granted to Her Majesty,

And the said motion being again read, the House resumed the said adjourned debate.

MR. AYLWIN resumed and continued ... ((to attack)) ... the Ministry ... particularly ... Mr. Draper, whose inconsistency on the University question he ... referred to<sup>36</sup>.

MR. DRAPER rose ... & defied him (Mr. A) to prove an inconsistency.<sup>37</sup>

MR. AYLWIN then crossed the House and got a copy of Mr. Draper's celebrated speech at the bar of the last Parliament and read from it the closing part in which the Parliament was called upon "for the sake of constitutional law, for the sake of their God and their country not to pass that Bill."<sup>38</sup>

MR. DRAPER and several of his friends seized upon the words "that Bill" and repeated them, showing that they constituted the defence, - "that Bill" was not as this Bill."<sup>39</sup>

MR. AYLWIN said that it was rumoured abroad that the Government had abandoned the measure because of a proposal from the Bishop of Toronto to resign the charter into the hands of the Queen. If the Ministers would state that such was the fact he (Mr. Aylwin) would be perfectly satisfied with it.<sup>40</sup>

Here MR. DRAPER remarked with a smile "I won't bite."<sup>41</sup>

MR. AYLWIN, "I know the honorable gentleman wont (sic) bite, - he is too loose a fish to bite." ... Laughter<sup>42</sup>. ((He was)) hardly less shocked at the moral depravity which had ((come from)) the Attorney-General (East) when he laid the ((Militia Bill)) on the table of the House, and called upon hon. members to pass it before it was even printed, and he then ... castigate((d)) ... the hon. members for Ottawa and Megantic, ((then)) coming back again to the Inspector-General, and the Attorney-General (West), he complained that the Administration had compromised the University question out of deference to their supporters, although they had met with ((such great)) consideration from his side of the House. He concluded by saying, that he and his friends were sufficiently ((willing to)) help ministers through with that measure, and ((it devolved)) upon them and upon the House in general, not to ((permit a)) matter of such magnitude to be deferred, but to ((go into)) committee forthwith upon the bill with a view to ((dealing with it)) at once.<sup>43</sup>

MR. ROBINSON rose and said that in consequence of the allusions that had been made to his resignation he felt called upon to say that his resignation was unqualified - it was no sham, no humbug<sup>44</sup>. When his colleagues had brought forward the University Bill, he had remonstrated against it, and finally tendered his resignation to the Governor General. That resignation had not been accepted, and he did not consider, in consequence of his differing with his colleagues upon this one point that he was justified in obstructing the public business<sup>45</sup>, and he was, therefore, prepared to go on with the Public Accounts.

MR. DUNLOP defended the course taken by the Administration in not pushing the Bill through this Session against the opinion of many of its supporters. He had himself voted for the second reading on the

consideration that it would not be pushed this Session. He considered the question as purely an Upper Canada question, and looked upon the votes given against it by Members from Lower Canada, as an attempt to upset the Administration, in which they had been most signally defeated. He charged the French Members with possessing no liberality, in as much as when he had brought in a Bill, last session for the relief of the Catholics of Upper Canada, who were very poor and badly provided with Priests, they had voted against it and thrown it out. The honorable gentleman, in answer to some remarks of Mr. Aylwin against the rotten borough of London, which had returned the Attorney General West, pointed out the Counties of Rimouski and Portneuf, where honorable gentlemen on the other side had been elected by a mandate sent down, without the electors ever having seen the faces or heard the names of the candidates. He charged the Member for the Fourth Riding of York with having purchased the late Member for Rimouski with a situation of £200 a year on the Chambly Canal. He said he would be glad to sell himself at the same price, but he was afraid that, even with his recommendation, the honorable gentleman would not be able to obtain a single vote in the District of Huron. He did not consider that Ministers had pledged themselves to carry through this measure this Session, they had procured the acknowledgement of the principle of legislation, and that was sufficient. He wished that the Conservative Members would stand shoulder to shoulder and resist the amendment, which had no other intention than to upset the Government.<sup>46</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD had not been in the House on the morning when Mr. Cameron's question was put, but he gladly embraced this opportunity of explaining the position in which he stood, and he believed that when the motives which had actuated him went forth to the country, that it would sustain him in the cause he had taken. When the University Bill had been brought up for second reading, he had voted for it, because he approved of the principle of legislation upon the question, but he had then stated that if the Bill were attempted to be forced through this session, in opposition to the petitions presented against it, and the opinions of the press of the country, that he would oppose it, and the consequence of that opposition would be his resignation. The Ministry has redeemed its pledge by the second reading of the Bill, and he did not consider that any member of it had compromised himself by now wishing to postpone it in accordance with the desire of the country. Nor could that postponement be made a charge against the Administration when nearly the whole of the Opposition had been found voting for it in the first instance. If there was any sin in the delay it would be only visited upon them. By that vote the Opposition had not only declared in favour of delay, but had voted against the principle of legislating upon the question, against throwing open the college. They had done so to upset the administration, because it was the measure upon which it was supposed that it would split; and in this attempt they had signally failed. The Hon. gentleman commented



at some length in a strain of irony on the speech of the member for Quebec. He characterised the present motion as a plan concocted by a faction to achieve that which the opposition had not been able to effect on the second reading, - as an attempt to force Ministers to go on with this measure, and if they voted against it, to throw the odium of the delay upon them. He called upon the Member for the Fourth Riding to act consistently with the previous vote, and to oppose the amendment. The attempt to force the measure would be defeated, and reflect no credit on its originators.<sup>47</sup>

MR. HALL said, that Mr. Aylwin had described the present University Bill as identical with that introduced in the last session by Mr. Baldwin; if it was so, how was it that that gentleman had voted against the second reading?<sup>48</sup>

MR. BERTHELOT, hoped that the Member for Quebec would not waste the time of the House by persisting in his amendment, but that he would consent to withdraw it.<sup>49</sup>

MR. CAUCHON spoke at some length, during which he was interrupted by cries of all imaginable descriptions, among which the most conspicuous was the imitation of the grunting of a pig. The Hon. gentleman ... compared ... ((the authors of the noises)) to the beasts they imitated.<sup>50</sup>

MR. DEBLEURY called him to order. The Hon. gentleman had no right to appeal to the galleries by drawing parallels between the Members for Upper and Lower Canada, and he trusted the Member for Montmorency would not be put forward as a specimen of the Members of Lower Canada. He had no right to compare Hon. Members to quadrupeds, and he should remember that among the most conspicuous was the "Pig."<sup>51</sup>

The Speaker ((SIR ALLAN MACNAB)) attempted to obtain order<sup>52</sup>.

For several minutes the House was in an uproar, and the laughter, cheers, and grunts were repeated from all quarters.<sup>53</sup>

The Speaker ((SIR ALLAN MACNAB)) read the rules of the House, and concluded with that portion which advises Hon. gentlemen when they find that the House had no disposition to hear them, to resume their seats.<sup>54</sup>

MR. HALL protested against any member applying language to others in a tongue they did not understand, which if he spoke in English he would not dare to use.<sup>55</sup>

MR. CAUCHON said, that what he had stated in French he would repeat in English. That he would not be put down, and was ready to meet the consequences out of that House of anything he said in it.<sup>56</sup>

MR. BALDWIN said that before proceeding to address the House upon the subject matter of the motion now before them he must claim their attention to a few remarks, which he felt called upon to make some of them growing out of what had been said by his hon. and learned friend from Quebec, and some of them from what had fallen from the hon. and learned Solicitor General, - the former claiming as it appeared to him some merit for the absence of previous concert among the members of opposition, and the latter expressly charging the motion of his hon. friend upon himself and those hon. gentlemen who had voted with him against the second reading of the Bill in question as a scheme of their concocting for the mere purpose of unjustifiably creating embarrassment to the Ministry. (Hear hear.) Now with respect to the first point he (Mr. Baldwin) did not hesitate to say that in his view of the subject, so far from there being any thing either politically or morally objectionable in a previous communication of views between hon. gentlemen entertaining the same general political principles and usually acting together, with a view to concert in their action in support of House principles, it appeared to him that such previous communication was a necessary part of the system by which our free institutions were to be worked for the public good. - The hon. gentlemen opposite had their consultations with their friends, and they were right in having them. His hon. friends on this side of the House had the same right to hold similar consultations, with similar views; and, in his (Mr. Baldwin's) opinion, if anything on this head was to be objected against the present opposition, it was that such previous interchange of sentiments had not taken place sufficiently often. But with respect to the imputation cast upon the present motion that it had been devised in a spirit of factious opposition, he indignantly repelled it. For his part he had not known the intention of his hon. and learned friend to mention the matter until he was actually on his legs for the purpose of making the motion now before the chair. (Hear, hear.)<sup>57</sup> Had he known of his intention he would have expressed the same opinion of it as he did now, that it was entirely out of his power to support it. (Cheers.)<sup>58</sup> He (Mr. Baldwin) had now been some time in public life; his views differed from those of the hon. gentlemen opposite; he had fought the political battle with them manfully and honourably - (hear, hear) - and he defied any man to put his finger on the point in his whole political career in which he had ever descended to any indirect means either to assail his political opponents or forward the success of his own political opinions.<sup>59</sup>

Cheers and marks of assent from the Ministerial as well as the opposition side of the House.<sup>60</sup>

((MR. BALDWIN continued:)) Nay, he would boldly refer to the course of opposition which he had framed during the present session. The hon. gentlemen opposite had not his confidence; he had felt it his duty to give them a firm and uncompromising opposition; but he put it to them - he put it to their supporters - he put it to that

House - whether anything of a factious spirit had mixed itself in that opposition.<sup>61</sup>

Hear, hear, and "no" from some members on the ministerial side.<sup>62</sup>

((MR. BALDWIN continued:)) Where it had been in his power consistently with what he deemed his duty to his country he had given them his support. He would just refer to their judiciary measures. Had he not supported them in their measures not only against their own friends but against some of his, and that on points of a nature well calculated to catch a fleeting popularity among the unthinking. It would be remembered that he had on that occasion supported them against the hon. member for Dundas on their side of the House and against his hon. friend from Lincoln on his (Mr. Baldwin's) side. And this was not a solitary instance. He put it to the hon. gentlemen who had watched the conduct of the public business of the country through that House during the session whether ministers had not frequently been indebted to him for both advice and aid in the conduct of that business sometimes afforded openly in his place sometimes by suggestions in if not so palpable at least as effectual a manner. And was it to be said after all this that he (Mr. Baldwin) had given the hon. gentlemen opposite a factious opposition<sup>63</sup>?

No not you from MR. HALL.<sup>64</sup>

((MR. BALDWIN continued:)) No nor had they received any such opposition from his hon. friends who had acted with him through the session. (Hear, hear.) And with respect to the course taken by his hon. and learned friend from Quebec on this occasion in particular there was nothing whatever inconsistent in that course. What was there in that course against which hon. gentlemen opposite had any right to complain. He (Mr. B.) had the misfortune to differ with his hon. and learned friend on this occasion and should must (sic) certainly vote against the motion of his hon. friend. But however disagreeable it might be for Her Majesty's Ministers to meet the question in the shape in which it was presented to them, however strongly it would test the submissive acquiescence of their supporters in the varying course of the administration they at least could with no shew of justice object to an hon. gentleman who had voted with them in support of their Bill calling upon them to proceed with a measure which they had themselves characterised as one of the most urgent importance. He, (Mr. Baldwin), when this measure was last under consideration had not felt called upon to do more than state in general terms that he was opposed to what he considered the principle of the Bill. He was fully justified he considered in omitting on that occasion to do more in consequence of the intimation thrown out by the hon. and learned gentleman in charge of the bill which plainly amounted to an abandonment of it



for the session. It was true the hon. and learned gentleman had said that he must take a day or two to consider whether the government would persist in pressing it through this session or not, but that was merely one of the decent forms connected with its abandonment. The hon. and learned gentleman knew that without a very significant intimation that the bill was not to be gone on with he would have been left in a minority on the second reading. After the minister himself having thus dealt with this the great measure of the session, he (Mr. B.) was fully justified in not going thro' the mockery of contending for what was already virtually accomplished - the defeat of the bill (hear.) But the position of the question was now somewhat altered; his hon. and learned friend had taken the subject out of the hands of her Majesty's ministers and was pressing it upon the consideration of the House in amendment, and though he (Mr. Baldwin) felt little doubt that the motion would not be successful, yet as it was made, he had no doubt, with a sincere desire on the part of his hon. and learned friend to have the question disposed of; he (Mr. B.) would trespass on the time of the House so far as to point out briefly the leading grounds upon which he was opposed to the Bill which had been submitted to the House by Her Majesty's Provincial Government. But before he did so he must pause to advert to an expression made use of by his hon. and learned friend from Quebec with respect to the Union of the Provinces, and one which he (Mr. Baldwin) must deprecate as calculated to do much mischief. His hon. friend had applied the term "unfortunate" to that Union. Now, while he condemned as much as any man the means that had been resorted to to bring about that Union, as well as some of the terms, as they were called, upon which it was consummated, while there had been and still were many difficulties in the practical working of that measure, - though such difficulties had been felt in previous sessions - though they had been felt in the present session, and would be felt in future sessions - he firmly believed that they would ultimately be overcome; and he for one could never acquiesce in the application of the term unfortunate to a measure that had made that House the second popularly constituted Assembly in the British Empire, and given to it an importance in that mighty empire next only to the two Houses of the Imperial Parliament themselves - (hear, hear) - a measure that had placed in their hands the power which had converted the public servants of the crown from superior clerks of departments into real ministers clothed with a corresponding weight and importance in the Councils of the Province - a position which he rejoiced to see them occupy whether they were taken from that side of the House or from this. (Hear, hear.)

To approach then the subject of the Bill itself he must here repeat what he had said on a former occasion that in his view of a Bill the principle of it did not consist in the mere recognition of the right to legislate upon the subject of it nor in the view with which such legislation should be undertaken but in the main features of the measure itself, in those great leading features which formed its prominent characteristics. Being opposed to those great features of the present



Bill he was, in his view of the subject, opposed to the principle of that Bill and being opposed to the principle he felt bound to vote as he had done first for its postponement as a means of defeating it and next against the second reading. Differing with Her Majesty's Government in the principle of their Bill he would before proceeding to point out the grounds of that difference refer to those points upon which it was his happiness to agree with them. And first he begged to state that he entirely concurred with the hon. and learned Attorney General for Upper Canada as to the intrinsic importance of the subject (hear hear.) Her Majesty's Provincial Ministers had put into the mouth of His Excellency the Governor General in the speech delivered by him at the opening of the present session the following strong terms with reference to this important subject.

"Many subjects in which the welfare of the Province is deeply involved will be entitled to your earnest consideration. None can be more important than the improvement of the education of the people, which is one of the most urgent duties of the State; and I anxiously hope that in addition to such other amendments of existing Laws on this momentous question as may be required in either section of the Province, your wisdom may be able to devise some arrangement respecting the University of King's College, that may receive the sanction of the Crown, and give general satisfaction in the Colony."

Such was the language in which the speech from the throne had been couched at the commencement of the session. Among the "many subjects" in which the welfare of the Province was deeply involved, none it is declared can be more important than the improvement of the education of the people which is one of the most urgent duties of the state. Thus among the many subjects of importance to which their attention was to be directed the assembled legislature of the Province were told by the highest authority that education was the most urgent and of this most urgent subject King's College is selected as the particular branch specially deserving direct vice regal recommendation to attention. (Hear, hear.) Now in the importance of the subject of education generally and of the question respecting King's College in particular he (Mr. B.) entirely concurred - he was going to say with Her Majesty's Ministers - but he should rather say with the speech from the throne. For how had they dealt with this great question? Instead of coming forward at an early day with their measure when there would have been time to consider it, to discuss its principles and if they should be approved to adjust its details, nothing is done respecting it until the House is upwards of 3 months in session and when there could be no sufficient opportunity for considering it as its importance deserved. (Hear, hear.) Again when it did make its appearance to whose hands was it entrusted? He (Mr B.) had of course no right to complain of any arrangements that Ministers might think proper to make in this respect for the disposal of the public business, nor did he complain of it. But he might be allowed to remark that it was to say the least of it somewhat singular that this of all the measures referred to in the

speech from the throne should be kept in petto till the translation of the hon. and learned gentleman, the Attorney General for Upper Canada from the other branch of the legislature to that House; - (hear, hear) - and that of all Her Majesty's Provincial Ministers the one selected to take charge of this important measure should be the gentleman who had made at the bar of the House during the last session so able and so eloquent an address against all interference with the charter in question. (Hear, hear.) It was true the hon. and learned gentleman might tell him that the opinions he then advanced were advanced as an advocate and that they must be taken as those of his client and not his own. He (Mr Baldwin) would be far from denying the distinction involved in such a reply. But he conceived that the hon. and learned gentleman had not on that occasion occupied the position of a mere advocate. He had, as those would recollect who had had the pleasure of hearing him, declared that in the advocacy of the views he was then contending for he had forgotten the advocate in the man. He saw that the hon. and learned gentleman was about to meet this by saying that that speech was directed against a measure of a very different character from the one which was the subject of the present motion. And he (Mr Baldwin) would give the honourable and learned gentleman the full benefit of the distinction and readily admitted that it was a substantial one. But hence the utter absurdity of charging him and those who voted with him against the present measure with inconsistency in having supported the bill of last session and opposed that of the hon. gentleman opposite.<sup>65</sup>

Hear, hear from the opposition benches.<sup>66</sup>

((MR. BALDWIN continued:)) But the hon. gentleman must recollect that the speech which he had alluded to was not directed merely against that particular Bill but against any legislation whatever upon the subject. Again it would be recollected that the hon. and learned gentleman on that occasion was not the mere advocate constrained by a sense of professional duty, - and the obligation imposed by that honorarium, which, although theoretically supposed to have no influence on such ethereal spirits as those of the profession to which he, as well as the hon. gentleman, had the honour to belong was certainly not an uninteresting adjunct to their briefs - (a laugh) - and perhaps sometimes not altogether without a stimulating effect on the nerves of his learned brethren. (Hear, hear, and laughter.) It was not, however, he repeated under such ordinary professional inducements that the hon. and learned gentleman had last session undertaken to defend what the council of King's College claimed as their rights. The hon. and learned gentleman was on that occasion the volunteer advocate of his clients; nay, more, in order to place himself in a position to appear at the bar of the House as the advocate of those clients & of the principles on which they based their opposition to the measure in question the hon. and learned gentleman had to disregard the objects for which his royal mistress had called him to her

councils as a ... legislative councillor, and which in the impressive language of the writ of summons to which he owed that high distinction were declared to be "for the purpose of obtaining his advice and assistance in all weighty and arduous affairs which the state and defence of her Province and the church thereof demand," as well as the emphatic command laid upon him in the same instrument "that all difficulties and excuses whatsoever laying aside, he should be and appear for the purposes aforesaid in the Legislative Council of the Province at all times whensoever or wheresoever our Provincial Parliament may be convoked and holden." All these circumstances had been cast aside by the hon. and learned gentleman, who was obliged before he appeared at the bar of that house to obtain leave to divest himself of his legislative functions, and to deprive the Crown of the benefit of his valuable advice in his place in Parliament, all in order to be the counsel against the measure which, according to the hon. and learned gentleman's views of the principles of a Bill, was based on principles which the hon. and learned gentleman himself now declares can alone prevent the kindling of a flame that will burn from one end of the Province to the other. (Hear, hear.) He (Mr. Baldwin) had said that the hon. and learned gentleman had, with respect to that measure divested himself of his legislative functions and deprived the Crown of the benefit of his advice, for he (Mr. B.) took it for granted that after having appeared as the advocate of a party against the Bill outside the bar of one House, he would not had the measure reached the other branch of the Legislature have appeared within the bar of that House as either its advocate or opponent. (Hear, hear.) The hon. and learned gentleman had with the leave of the House, of which he was then a member, a right to adopt the course he had taken, but by doing so he had put himself in a position very different indeed from that of the ordinary advocate, and one little calculated as it appeared to him (Mr. Baldwin) to conciliate the confidence of the public in any measure that he might bring forward for the adjustment of this difficult and important question. (Hear, hear.) - It was then in his (Mr Baldwin's) opinion singularly unfortunate that the measure should have been confided to the hands of the hon. & learned gentleman if the wish of the ministry really was to give assurance of the sincerity of their desire for such an adjustment (hear, hear.) He said this of course without disparagement to that which all had witnessed, and witnessed with so much gratification, the ability with which the hon. and learned gentleman had treated the question in moving the second reading of the bill. The able and convincing speech of the hon. and learned gentleman on that occasion, directed as it had been, not to the bill under consideration, but to the right of the Provincial Parliament to legislate upon the subject, he (Mr Baldwin) conceived to be unanswerable. He (Mr B.) had said that he entirely concurred with her Majesty's ministers in their expressed opinion of the intrinsic importance of the question itself. The hon. and learned gentleman from London (the Attorney Gen'l) had



also warmly insisted on the expediency of an early settlement of the question, and in this also he (Mr B.) had the happiness of fully agreeing with the hon. and learned gentleman, though the ministers had certainly shewn themselves to be little influenced by a sense of the importance of this point when they left it to be brought before Parliament at so late a period of the session as they had done. It might be recollected by hon. gentlemen that when a question was put to ministers in the early part of the session as to when the House might expect to see their plan for the settlement of this great question, it was announced by the hon. and learned Attorney General for Lower Canada, with one of his blindest smiles, that the bill was coming in a very short time, and promises were held out from day to day, till at last the seat of the hon'ble gentleman who lately represented London was vacated and we were given to understand that the great measure of the session was to await the advent of the hon. and learned gentleman who succeeded him (hear, hear.) Did that shew sincerity in the professed desire for an early adjustment of the question? (hear.) - There was a third point upon which he entirely agreed with the hon. and learned Att'y Gen'l with respect to this question, and that was the necessity of making whatever legislative measure might be passed respecting the University a final settlement of the question. For he (Mr B.) could not conceive any thing more injurious to such an institution than an eternal tinkering with it in respect to the great principle upon which it was founded. Agreeing then as he fully did in the intrinsic importance of the subject - the expediency of an early settlement of it - and the necessity for that settlement being final, he would put it to any man in that House whether the Ministry had dealt with it in a manner becoming such a question or their own expressed views respecting the time or manner of disposing of it (hear, hear.) He would appeal not only to his own but to the other side whether they had been dealt generously by in the time and manner of its introduction. He would appeal to the hon'ble and learned gentlemen from Niagara and Kingston whether they had been well treated in having this important measure laid over till the late period at which it had been introduced (hear, hear.) He (Mr B.) was sure those hon. gentlemen felt that they had not. In fact the whole proceeding connected with the measure evinced either weakness or insincerity of the most marked character, whether you look to the time of its introduction, the manner of that introduction, or the still more curious manner of its abandonment (hear, hear.) - In his (Mr. Baldwin's) view of the subject the first great object of legislating upon it was to secure to Upper Canada an Institution in which the youth of the Province of all religious Denominations may receive a liberal education of the highest order in the various branches of useful knowledge. (Hear hear.) He would ask was the Institution contemplated by this Bill calculated to accomplish any such object. In the first place it did



not secure one such Institution but left it quite uncertain whether we should not have three or more small and indifferent Universities instead of one good one. Again the unlimited application of the funds of the University to Denominational Colleges he looked upon as a highly objectionable feature of the Bill. It would necessarily encourage a multiplicity of small Colleges instead of large well endowed ones nay the practical working of the system preposed (sic) in the Bill would necessarily be that the same denomination instead of having one College however sufficient that might be for their wants would as soon as they could get a charter for a second, divide (sic) their students for the purpose in the first place of being entitled to make large drafts upon the funds and in the next place of having additional weight in the Council of the University. Thus to take the Protestant Episcopal Denomination as soon as they had 65 students they could by getting a charter for a second College draw £1,500 instead of £1,200 from the University funds and be represented in the caput by two instead of 1 member or again by obtaining 4 charters they might by dividing their students among them, 20 to one and 15 to each of the other 3 draw at least £1,400 and if they had sufficient weight in the caput and could get that Board to go to the full extent of their power in their favour they might get £2,100 that is £600 for their 20 students College (sic) and £500 each for the other 3, and be represented by 4 instead of one member in the caput. (Hear hear.) He thought such a system would prove most injurious to the Institution in the multiplication of small colleges unnecessarily and injuriously and in exciting a rivalry between them for students which might ultimately lead to their actually giving a premium for a student instead of receiving a return for his education to enable them to increase their means of usefulness, the funds of the University being all the time the victim upon which they were thus afforded the opportunity of preying. (Hear hear) For his part he could not look forward in such a system to anything but the depreciation of Canadian degrees to a level with those of too many similar institutions in the neighbouring states which no one valued and except for the legal rights which they might confer no one would accept. (Hear, hear.) The second object to be obtained by legislation upon this subject was to give general satisfaction to the country which it was admitted equally by Her Majesty's Ministers as by himself and those who acted with him the present measure did not do, - indeed the hon. and learned Solicitor General had candidly admitted that the press of the Province generally was out against the measure and that it would not give anything like general satisfaction. If that then was the opinion of the hon. and learned gentleman out of his own mouth would he (Mr. Baldwin) draw the justification of himself and his friends for opposing the measure introduced by the colleagues of the hon. and learned gentleman and in his opinion it would sound strange in the ears of the people to hear those on the opposition side of the House accused of faction for their opposition to a measure which had been thus declared by an hon. and learned gentleman who though not actually a member of the Government held a high and important office

under them as one little calculated to give general satisfaction to the country (Hear, hear.) But to proceed, from the opinion of the hon. and learned gentleman to the measure itself. Was then the measure of the hon. and learned Attorney (sic) General at all calculated to produce such satisfaction? He (Mr. Baldwin) contended that it was not. It was well known how distasteful to a large portion of the people of Upper Canada was the application of public property in which all were equally interested to the theological purposes of any particular denomination. And yet here was a system by which such funds were to be diverted from the general purposes to which they ought to be applied and frittered away among a variety of institutions which if not nominally (sic) Theological would as was well known be practically such. And no one could doubt but such would be the effect of the honourable and learned gentleman's bill. Again tests of all kind((s)) had been latterly condemned by universal consent as wholly ineffective for the accomplishment of the objects intended and in many cases mischievous to the best interests of the Institutions into which they were introduced. And on this point he was happy to be able to quote high authority both in that House as well as elsewhere in support of this objection one of which might call up some reflections when it was found that it was no less a personage than one of the hon. and learned gentleman's own colleagues, Her Majesty's present Receiver General. That hon. gentleman had in 1835 supported a bill he (Mr B.) was not quite certain whether it was not brought in by that hon. gentleman but at all events he supported it by one clause of which it was expressly provided "that no religious test or qualification whatever be required of any Chancellor, President, Professor, or other person being a candidate for any station or honour in the said College, nor shall the eligibility of any persons to any of the aforesaid stations in the said College or any other station that may hereafter be created or in any way or degree dependent on or regulated affected or prejudiced by the particular faith of any such candidate any thing in the said charter notwithstanding." And when a provision was proposed by the hon. member, who then as now represented the County of Leeds, "That nothing therein contained should authorise or be constrained to authorise the appointment of any person or persons to the office of Professor who should not be a moral well conducted Christian professing a steadfast belief in the Holy Trinity as held by the United Church of Great Britain and Ireland," that hon. gentleman was supported only by three other members one of whom was the hon. member for Simcoe and among the nays was not only the Hon. Receiver General, but the present Speaker of this House. (Hear, hear.) The Speaker was opposed to the bill altogether but he was also opposed if the University was to be the subject of legislation to give his sanction to the introduction of tests. Such being the view taken of the expediency of the test with reference to this University in 1835, he would ask hon. gentlemen whether the intervening 10 years had indicated any increasing partiality for them in Upper Canada. In 1835 the representatives of the people of Upper Canada decided 33 to 4 against such test, and what was then to lead us to the conclusion that in 1845 they were



desirous of establishing it. But again could it be expected that the proposed system for the appointments of Professors was one that could possibly give satisfaction to the public. By this Bill the appointment((s)) were to be made by the Queen. Did this mean that such appointments were really to be made from Home? If so the influence that the English Hierarchy and the Residuary Church of Scotland would have it in their power to exercise in such appointments would deprive them of that public confidence which it was so essentially necessary to conciliate even if it did not, as he confessed he thought it would, give a denominational character to such appointments entirely destructive of such confidence. But on the other hand was it intended that such appointments were to be made by the Governor General in Her Majesty's name as in respect of appointments to political offices of trust and confidence? If so and for such exercise of the prerogative the Provincial Ministers were to be responsible to the Provincial Parliament as in other cases of appointments within the Colony, then although he (Mr. Baldwin) admitted that it would be far better than the first course he confessed he thought it would be highly inexpedient, as it would necessarily lead either to a party character being given to such appointments or at all events to the suspicion that party influences were brought to bear injuriously upon them.<sup>67</sup>

The late Ministers had endeavoured in the Bill brought in by him (Mr. Baldwin) during the last session to divest themselves of any influence over the distribution of the patronage of such appointments, and to place the power of filling the chairs in the hands of a Board, the members of which differing in their mode of appointment, the bodies by whom appointed, and the main object with regard to which these appointments were made, as well as in the term for which their appointments would subsist, would thus be deprived of any distinctive character, either denominational or political, whhich (sic) could render it obnoxious to the suspicion of being influenced by any other motive than the desire of filling in the most efficient manner the different chairs on the foundation of the University. (Hear.) Very different was the plan proposed by this Bill, which, in the least objectionable view of this part of it was calculated to put patronage into the hands of the Provincial Administration. (Hear.) But again was it intended by vesting the appointment to such chairs in the Queen that they should be made, not really from home, by which they might at all events expect competent appointments, but that they should be made from home on suggestions from the Governor General here? If that was what was intended, he looked upon it as the most objectionable course of all - one by which practically all responsibility was avoided, and a door opened for the most disgraceful and corrupt jobbing that could well be imagined. When he thus characterized such a system h((e)) was not doing so on theoretical grounds alone, they had had already a prominent instance of the jobbery to which such a system would ultimately lead.<sup>68</sup>

MR. AYLWIN asked if the hon. gentleman referred to the Ryersonian

Professorship?<sup>69</sup>

MR. BALDWIN proceeded - Yes, his hon. and learned friend might call it the Ryersonian Professorship if he pleased. What he referred to was the translation of the late Deputy Superintendant of Education to a Professor's chair in the University in order to make room for the Rev'd Gentleman, who had been named by his hon. and learned friend, whose political services were to be rewarded no matter at what sacrifice. (Hear, hear.) He (Mr. B.) would here take the liberty of referring to the terms of one of the Despatches connected with this most unjustifiable transaction as a specimen of what they had to expect should such a system of appointments to chairs be established. A vacancy occurs in the chair of mathematics and natural philosophy. His Excellency writes to Lord Stanley under date 13th May, 1844, informing him of the vacancy, and recommending that a Professor may be selected and sent out from the United Kingdom; and the Colonial Secretary is told that "caeteris paribus it is very desirable that the gentleman selected should be of the Church of Scotland, a Presbyterian," and that "a thorough knowledge of the subjects on which he is to lecture is of course indispensable." So far so good; he (Mr. Baldwin) had not on either of these heads the least objection to urge against that despatch, but by the 8th June other prospects had opened upon the Head of the Government, or upon those who advised him; it had become (sic) an object of importance to reward a political partizan, and another letter is directed to the Colonial Secretary requesting that if no steps had been taken upon the former despatch that matter might for the present be suspended, "as there is a prospect of my being able to fill the chair about to be vacated not only in the manner proposed in my application, that is with a man of first rate talents and acquirements for the place and a member of the Church of Scotland, "but also with additional benefit to the public interests." (Cheers and laughter.)

How delicately it is touched. In what nice set terms, "with additional benefit to the public interests," is this notorious and unprincipled job shadowed forth to the noble Secretary.<sup>70</sup>

Cheers from the opposition benches.<sup>71</sup>

((MR. BALDWIN continued:)) With respect to the appointment of Mr. Murray he (Mr. Baldwin) had no reason to doubt his being a worthy man but it was he believed perfectly notorious both within the walls of the College and without them that he was incompetent to fill the chair to which he had been appointed either with credit to himself or advantage to the University (hear) and as far as regarded the appointment of Dr. Ryerson to the Deputy Superintendency of Education it was utterly indefensible and the whole proceeding an unprincipled job of the very worst character.<sup>72</sup>

Hear hear, from the Ministerial benches and cheers from the opposition.<sup>73</sup>



((MR. BALDWIN continued:)) And such were the purposes to which the chairs of the University would remain liable to be prostituted were the plan of the hon. and learned Attorney General as to appointments to those chairs thus understood to receive the sanction of Parliament and he put it to hon. gentlemen whether such was likely to prove either beneficial to the University or to the Country? But again what was the objectionable feature in the University of King's College as at present constituted? Certainly its denominational character: the almost exclusive possession of the government of it by members of the Church of England. And how does the hon. and learned gentleman propose to divest it of that character - how does he propose to provide for the representation of other interests in its Government? And what will be the configuration which the caput the principal governing body will present to the Canadian people should this Bill ever become a law? There will be first the Vice Chancellor of the University, a Church of England man, secondly the Chief Justice of Upper Canada another Church of England man, thirdly the Vice Chancellor of Upper Canada another Church of England man, fourthly the President of King's College another Church of England man, fifthly the senior Puisne Judge of the Queen's Bench another Church of England man, and sixthly the principal of Upper Canada College another Church of England man, six in all. Then supposing Queen's College and Victoria College to avail themselves of the power of becoming incorporated with the University you will have 6 Church of England men to one Church of Scotland man and 6 Church of England men to one Methodist, taking them severally, or 6 to two putting the Church of England on one side and the other two Denominations jointly on the other. But suppose even that the College of Regiopolis a Baptist College and an Independent College were to be incorporated with the University within a short time the Church of England would still have 6 to one of each of the other Denominations severally and 6 to 5 against the whole of them put together. (Hear hear.) Was that calculated to satisfy the Residuary Church of Scotland? Was that calculated to satisfy the Free Church of Scotland? Was that calculated to satisfy the Catholic Church or in fact any one of the other different religious denominations into which the people of Upper Canada were divided. And as to the Church of England strange as it may appear to some there was little doubt that as far at least as the authorities of that church were concerned the Bill gave no satisfaction in that quarter. And yet this it was pretended was what would give general satisfaction in Upper Canada. He (Mr. Baldwin) was convinced that whatever assent might be obtained to the measure on a hasty glance at its provisions when the practical effect of those provisions came to be fully understood it would meet but little favour from the people of that section of the Province and be far very far from satisfying them. (Hear, hear.) But if the measure he had been reviewing was neither calculated to attain the object with which legislation on the subject ought to be undertaken nor to give that satisfaction which

would alone win the confidence of the people still less was it calculated to prove a final settlement of the question. Indeed the expectation of such a measure as that proving a final one appeared to him to be the height of absurdity. What, said Mr. Baldwin that provision final, which offends the religious scruples of some, excludes others from the benefit of an Institution intended for the common advantage of all, provides a system of appointment to Professorships calculated to lead to the most disgraceful system of political jobbing in the distribution of the patronage of chairs and establishes permanently the uncontrolled domination of the Church of England in the councils of the University that prove a final measure! He would venture to predict that so far from proving a final settlement of the question it would be but one step in a system of tinkering at the University and the signal for a new and fiercer agitation than had yet assailed it. (Hear, hear.) There were other points which being matters of detail might of course be amended in the committee and which he did not therefore mention as involving considerations which would have called for the throwing out the bill but which he yet deemed of sufficient importance to mention here because he thought that having formed part of the bill of last session their omission from the present one argued unfavourably of the intentions of the Ministry with respect to the measure. The first was the omission to provide a chair of agriculture. In a Province like Canada where agriculture was and must continue to be the great interest of the country, he looked upon it as a matter of the first importance to give to that most ancient and honourable of all professions the highest place among the pursuits of our people<sup>74</sup>.

Cheers from both sides of the house.<sup>75</sup>

((MR. BALDWIN continued:)) So far from its being considered an inferior occupation, it ought to be looked upon, as it really was, the noblest and most exalted of them all. He had therefore been desirous of giving it a home in the academic halls of our Canadian University, by providing expressly for the establishment of a Professorship of Agriculture (cheers.) And he regretted much that such a provision was not to be found in the bill before them (hear, hear.) Again, the bill of last session had contained a provision for a thorough investigation of the accounts of the University and he believed, if rumour was to be credited, there was certainly not less occasion for such investigation now than there had been in 1843. Hon. Gentlemen on both sides of the House were perfectly well aware that reports were prevalent of very great irregularities in the conduct of the affairs of the Institution. These reports called loudly for investigation. And although it might be doubted, he thought with good reason, whether the government had the power of their own authority to institute and carry through with effect such an investigation as was required,

that was the very reason why in the measure they had submitted to Parliament there should have been a provision that would have armed them with the power to do so, more particularly as such a provision was staring them in the face in the bill of last session (hear, hear.) His hon. friend on his right (Mr. Price) had moved for returns connected with this branch of the subject and certain accounts had been sent down, but he was told that the chairs for the Professors were in those accounts charged at a price which if he knew any thing of the value of such articles would not pay for the mere trappings with which they were adorned. However not having examined the accounts he would merely remark that the only way of satisfying the public in respect of the financial affairs of the Institution was to institute a thorough and unflinching examination into them (hear.) For his part with respect to the fittings up to which he had alluded, he thought it right that they should be every way respectable, and he for one would be willing to go rather beyond the mark than fall short of it in respect of them in order to give something of the gravity and solidity of antiquity to the general air of such an institution. But for the Professors' chairs to be of a character almost to rival the Throne of His Excellency in the other House was a perfect absurdity and one which he was sure no man who heard him would attempt to justify (hear.) There were other matters of minor importance which he thought objectionable in the bill but he would not take up the time of the House in alluding to them as he felt they were matters of detail which were fitter to be the subject of discussion in committee. He had now laid before them the grounds upon which he had felt compelled to vote against the bill in the two shapes in which the question had been proposed to him; first on the motion of the hon. & learned gentleman from Toronto (Mr Boulton) who had moved for its postponement which was substantially equivalent to throwing it out exactly like a motion to read it a second time that day three months; and, secondly on the motion of the hon. and learned Attorney General for its second reading then. But it had been said why not vote against postponement and for the second reading and then when the bill was in committee endeavour to alter it agreeably to his (Mr Baldwin's) own views. Apart from the objectionable course of voting for the principle of a bill which you do by voting for the second reading when you are in truth opposed to that principle, those who argued thus were either little acquainted with the practical working of parliamentary machinery or in their eagerness to have the question settled, entirely overlooked what appeared to him (Mr Baldwin) to be the certain consequences of such a course viz., the infliction of the measure in its most objectionable features upon the country. (Hear, hear.) Let hon. ... gentlemen reflect on this. In his opposition to the bill he was sustained by the hon. and learned member for Toronto and his friends, but upon grounds not only wholly different but in a great measure absolutely



irreconcilable (sic) with those upon which his (Mr Baldwin's) opposition was based. The hon. member for Toronto objected to all legislation upon the subject while he (Mr B.) not only asserted the right but the obligation to legislate, and to do so in a spirit the very reverse of any that could be expected to gain favour in the eyes of the hon. and learned member. He would ask hon. gentlemen whether when the bill went into committee he (Mr. Baldwin) could with the least probability count on the support of the honourable and learned gentleman (Mr. Boulton) of the hon. and learned member for Brockville (Mr. Sherwood) or those who with them joined in throwing out the bill or even from the hon. and learned Solicitor General who voted for the bill though he spoke against it to support a single amendment that he (Mr. B.) was likely to propose? (Hear, hear.) It was obvious that he could not, but that on the contrary he was if possible less likely to obtain the support of the hon. and learned gentlemen and their friends than of the very Ministry themselves (hear hear) and how far he was likely to induce the Ministers to abandon important branches of a measure upon which they had staked their official existence he left for the consideration of those who knew the damaging effect of such a course upon any administration and particularly upon one in the position of the hon. gentlemen opposite. (Hear hear.) In his (Mr. Baldwin's) view of the subject and he had had some experience in these matters to have supported the Bill at the stage at which it was defeated because however the hon. and learned Attorney General might wrap the matter up or whatever coloring he might give it, defeated it was, as the hon. and learned gentleman never could have obtained the negative vote on the motion to postpone nor the affirmative vote on the 2nd reading without the understanding substantially if not formally entered into, that the Bill was not to be passed this session (Hear, hear.) He (Mr. Baldwin) therefore repeated that for him and those who thought with him upon this subject to have supported the Bill at that stage and thus relieved the Ministry from the embarrassment consequent upon their inability to retain the votes of some of their supporters on this measure would in effect have been an acceptance of the Bill as it stood. He therefore felt that he was not only justified in the course that he had adopted but that to have taken any other would have been both inconsistent with his views of the principle of the measure itself, and injurious to the future satisfactory adjustment of the question. (Cheers.) And he for his part felt no apprehension as to his being fully sustained in that course by all those who agreed with him as to the principles upon which that great question ought to be settled (cheers.)

Before resuming his seat he must take the liberty of referring to one or two observations that had proceeded from the other side, although some of them were perhaps not very relevant (sic) to the matter under consideration. The hon. member from Huron had been pleased to refer to the course taken by his (Mr. Baldwin's) hon. friends from Lower Canada upon this question in the support which they had given him in



opposition to the Bill. Now he (Mr. Baldwin) would take that opportunity of stating that while he was as much opposed as any one could be to having material changes in the long settled and permanent institutions of either section of the Province forced upon them against their wishes even where he thought such changes would prove beneficial in their results he must confess that he did not see how the suggestion of members from one section of the Province not interfering with measures affecting the other section was to be carried out to the extent at least to which some hon. gentlemen would carry it. (Hear.) And at all events when hon. gentlemen recollected the manner in which the Bill of his hon. and learned friend from Terrebonne (Mr. LaFontaine) had been treated by the opposite side of the House composed almost wholly of members from Upper Canada they would be ready to acknowledge that it certainly was not for one of them to object to his (Mr. Baldwin's) hon. friends from Lower Canada for voting on this question. (Hear, hear and cheers.) Again, the hon. gentleman from Huron had taunted him (Mr Baldwin) with having in the vote which he had given on this question, voted against his own measure, he thought he had now sufficiently pointed out the objectionable features of this bill not to remain open to such an imputation, but irrespective of that it was one which he thought the hon. and learned Att'y General would scarcely thank his hon. friend from Huron for. However that was a matter for the hon. gentlemen to settle among themselves, and in their hands he (M. B.) would therefore leave it. Either the hon. and learned Solicitor General or the hon. member for Huron, he forgot which of them, had by way of reply to the just and forcible remarks of his hon. and learned friend from Quebec on the condition of the Ministry, and more particularly on the anomalous and absurd position of an hon. and venerable gentleman, a member of that ministry, whom he (Mr Baldwin) was unable to designate according to parliamentary usage, either by reference to a seat in that House or the other branch of the Legislature, he meant of course the hon. the President of the Council. One of these hon. members had he said, in reply to the remarks of his hon. and learned friend, referred to the position which he (Mr Baldwin) had been in on the occasion of his accepting office in 1842 as similar in its character and circumstances. He (Mr Baldwin) would take the liberty of saying that in his opinion nothing could be more dissimilar in every important particular connected with each (cries of "hear, hear.") - Had this been the first time that such ((an)) analogy had been asserted he would have treated it as he had done former references to the subject as unworthy even of a passing notice but as it had now been repeated more than once by hon. gentlemen opposite he would take the liberty of pointing out how utterly groundless was the attempt to establish any such analogy. The two cases were in truth as dissimilar as they well could be. And he would here remark that in speaking of the anomalous position of the hon. the President of the Council it was not to the loss of an election he referred. Long before he (Mr Baldwin) had been in the

position of holding office for a few months during a prorogation without having a seat in Parliament he had anticipated that in the working out Responsible Government it necessarily would sometimes happen that ministers as well as other leading men of the different political parties would lose their elections. And he had in 1841, in a letter to a prominent supporter of his hon. friend from Norfolk and which was subsequently published in the newspapers of the day, discussed this very subject and pointed out the obligation which such events imposed upon constituencies strong in their support of the party to which such public men might belong to provide for such contingencies by returning them for such constituencies, and the obligation which the less prominent members of the party lay under to facilitate such arrangements. And the soundness of that view of the subject was too obvious to need discussion. In fact no party which had not such means of providing for the contingency of the loss of an election by one of their leading men was competent to take upon itself the administration of the government. And of the practice of party in this respect the history of the mother country afforded an abundant supply of examples. He need not do more here than refer to the cases of Sir Robert Peel's return for Wesbury when he lost his election for the University of Oxford in 1828, and Lord John Russell's return for Stroud when he lost his election for Devonshire in 1835. The circumstance, therefore, of a Minister being defeated at an election, and being for a limited time without a seat in Parliament, was one of no novel occurrence. It was not that therefore that formed any subject of reproach against the hon. and venerable gentleman to whom allusions had been made. Though even in respect of the loss of an election the parallel that had been attempted to be drawn between his (Mr. B's) case and that of the hon. and venerable gentleman entirely failed. He (Mr. B.) had not lost the election for Hastings in 1842. There was no election - an election was prevented by violence - and he (Mr. Baldwin) remained to this day perfectly satisfied in his own mind (though of course he could scarcely expect the hon. and learned gentleman who now sat for that county to avow that he agreed with him in that opinion) that had the election been peaceably proceeded with he (Mr. Baldwin) should have been returned - he would not say by a large majority, because it was a county in which parties were nearly divided, but by a respectable majority; and any one who would take the trouble to examine the poll as far as it had been taken and observe the few changes that occurred between 1841 and 1842 would he was certain come to the same conclusion.<sup>76</sup>

Hear, hear, and from a member of the Ministerial side - "But then you lost the election for the West Riding of York."<sup>77</sup>

((MR. BALDWIN continued:)) In that Riding an election was undoubtedly held, resulting in the return of the hon. gentleman who now represented that riding, by a majority of 40 or 50 over him (Mr Baldwin) but

the circumstances under which that election took place, and the manner in which not only against his will but in express defiance of his advice, he had been proposed to the electors of the riding, were also greatly misrepresented. He (Mr Baldwin) was not a candidate at that election; he had expressly refused to become such<sup>78</sup>.

From the Ministerial side "you sent your qualification."<sup>79</sup>

Yes, he ((MR. BALDWIN)) had sent his qualification, but under these circumstances. Immediately upon his return from Hastings several gentlemen who represented strong reform constituencies in Upper Canada and he believed every one of the members representing similar constituencies in Lower Canada expressed their readiness, with of course the assent of their respective constituencies, to resign their places in order to his being returned in their stead. His hon. and learned friend who now represented the county of Terrebonne, had been a second time triumphantly returned for the North Riding of York and it seemed to him (Mr Baldwin) most respectful to the Reformers of Lower Canada not to refuse their proffered courtesy. Declining therefore the offers of his hon. friends from his own section of the Province, he had accepted that of his hon. friends from L.C. (hear, hear.) And he still thought that in doing so he had taken the true course as well in true delicacy towards his hon. friends from that section of the Province as with reference to the permanent interests of the united Reform party in both sections of it as nothing was in his opinion at that early period better calculated to demonstrate union of sentiment between them in support of the Ministry which had just been formed than to behold his hon. and learned friend a Canadian of French origin from Lower Canada representing an Upper Canadian constituency of British origin and to see him (Mr. Baldwin) a Canadian of British origin from Upper Canada representing a Lower Canadian constituency of French origin (sic). Having therefore accepted the proposition of his hon. friend and pledged himself to accept a seat from a Lower Canada constituency he (Mr. Baldwin) was not at liberty even if he had thought himself certain of carrying the West Riding of York to have accepted a nomination from his friends in that Riding. And this was distinctly and repeatedly stated to those gentlemen of the Riding who conceived the idea of having him elected there, who were told when they insisted on their right to elect him without his consent that even if they did so his sitting for the Riding must depend upon the consent of others. And if they persisted they must take the whole responsibility upon themselves as in the position in which he was placed it was out of his power to afford them any aid in accomplishing the object what (sic) they had in view even by visiting the Riding or attending either the nomination or the polls. (Hear, hear and cheers.) It was true as had been said by the hon. members opposite he had delivered to the gentlemen to whom he alluded his qualification but he had refused to do so until upon their urging upon him that in his position as a public man he had no right in that indirect manner to deprive a constituency of their right to return him to Parliament if they pleased to do



so and that at least he ought to consent to leave that question to the decision of a third party that he consented to such reference and upon the decision being against him that he gave them his qualification as had been stated. (Hear, hear.) Such were the circumstances connected with that election certainly very different from those attendant upon either of the elections with which the name of the hon. and venerable gentleman to whom allusion had been made was connected, at one of which that hon. & venerable gentleman was a candidate offering himself to the choice of the electors in the usual manner and at both of which if he (Mr. Baldwin) was rightly informed he was personally present exerting his best energies to secure his return. (Cheers.) But as he (Mr. Baldwin) had already said it was not the loss of one election no nor the loss of two elections nay it was not the loss of a dozen elections that he objected against the hon. and venerable gentleman. If after the loss ((of)) any number of elections, however such loss might have weakened the political weight of the hon. and venerable gentleman in the councils of his country and damaged the Ministry to which he belonged, that would have been all that could have been said respecting it. But what was the position of the hon. and venerable gentleman? How fallen from the lofty eminence upon which he once stood. It would be recollected that the hon. and venerable gentleman was the man who when the late Ministry resigned was specially looked to for aid by the Representative of the Sovereign in the formation of a new Ministry. He (Mr. Baldwin) would not say that the hon. and venerable gentleman had been "sent for" in the Parliamentary sense of that term because he did not believe that the Representative of the Sovereign had ever, using the term in its true sense, "sent for" the hon. and venerable gentleman. He (Mr. Baldwin) believed that distinguished personage to be too much averse to the true application of the principle of Responsible Government to have ever "sent for" any one. But the hon. and venerable gentleman was the person whose councils were specially sought as the Provincial head of the new administration that was to be - in fact the Provincial Premier. And such being his position he (Mr Baldwin) asked where was the justification, where was the excuse, where was the shadow of ((an)) excuse for the hon. and venerable gentleman continuing to occupy that position without a seat in either House of Parliament, - not for a few months during a prorogation of Parliament - not for a few days during the first session of a Parliament until as had been said by the hon. and learned Attorney General for Lower Canada in the beginning of December last, the 14 days which by the forms of the House must necessarily intervene before any seat could be vacated for the hon. and venerable gentleman, but for weeks, nay months nay, he might now say during the whole session, and that one of the most protracted sessions of Parliament in our history. He repeated the question where was the shadow of an excuse for the hon. and venerable gentleman continuing under such circumstances to occupy the high position which he filled for such a time. (Hear and cheers.) He defied the gentlemen opposite to shew a precedent in



English history. What would be thought in the Mother Country of Sir Robert Peel remaining under similar circumstances at the head of the administration. But the thing was too absurd to admit of a moment's question as to the unqualified condemnation which it must really call forth from every man at all imbued with British principles or really desirous of having those principles applied in the practical working of our provincial government. (Hear, and cheers.) Nay, little as was the amount of confidence that he had in the hon. gentlemen opposite he really believed that even they themselves were ashamed of the figure cut by their hon. and venerable colleague. (Hear, hear.) If they had a spark of self-respect - if they had one atom of constitutional principle - they must in their hearts condemn it. Why then did they not remedy it. Why descend so low in the political scale as to remain parties to such a fraud upon Responsible Government while professing to recognize and act upon it. (Hear.) He really believed that the hon. gentlemen felt the degradation of their position; he really believed that they would gladly escape from it if they could do so indirectly, but they wanted the moral and political courage to do so by the adoption of a direct and manly course for the purpose of freeing themselves from the incubus. They were thwarted and embarrassed by that Butish influence to which he had on more than one occasion during the present session to refer, and they had not the vigor to emancipate themselves from its thralldom. They had not the manliness to say in the proper quarter such a state of things must not continue to be and not only to say but do. And who of all men was he who in his own person thus gives this stab to the great principle of Responsible Government? - the very man who seconded the resolutions moved by him (Mr. Baldwin) in the first session of the last Parliament out of which grew the celebrated resolutions of 3rd Sept. 1841. For his (Mr. Baldwin's) part rather than have acted such a part - rather than have remained a Minister of the Crown without a seat in Parliament he would have forfeited his right arm. (Cheers.) Nothing in his opinion could justify it - nothing palliate it - nothing excuse it. And he for his part could not as a Canadian but feel deep chagrin at the humiliating picture thus presented in the person of the hon. and venerable gentleman as well as the ministry to which he belongs, to the public gaze. (Hear and cheers.) There were some other topics arising out of the remarks of the hon. gentlemen opposite which he had noted for comment, but he felt that he had already occupied more of their time than he could have wished or than was perhaps desirable. - He had, however, felt called upon not to let the occasion pass of giving a general view of his objections to the principle of the measure under discussion, and had been compelled to touch upon the incidental topics which had arisen in the course of the debate, and having done so he should now conclude by repeating that in the view he took of his duty with respect to this measure he should feel bound (sic) to vote against his hon. and learned friend from Quebec should he persist in dividing the House upon his motion.<sup>80</sup>

Hear, hear, and cheers from the opposition.<sup>81</sup>

MR. AYLWIN withdrew his amendment.<sup>82</sup>

MR. CHRISTIE moved his usual Resolutions before going into Committee of Supply.<sup>83</sup>

((He was)) opposed by MR. ATTORNEY GENERAL DRAPER<sup>84</sup>.

((MR. CHRISTIE's resolutions were lost.))<sup>85</sup>

(385)

*On the question being put upon the said motion, it was agreed to by the House, and*

*Resolved, That a Supply be granted to Her Majesty.*

*Resolved, That this House will, this day, resolve itself into a Committee, to consider the Supply granted to Her Majesty; and that the forty-seventh Rule of this House be dispensed with in this case.*

*Ordered, That the Estimate of the Supply required for the year 1845, and the Message of His Excellency, the Governor General, of the 14th instant, transmitting the same to this House; together with so much of His Excellency's Speech to both Houses of Parliament, at the opening of the Session, as relates to a Supply, be referred to the said Committee.*

*The Order of the day being read, for the House to resolve itself into a Committee to consider of the Supply granted to Her Majesty,*

*The House accordingly resolved itself into the said Committee.*

(386)

*Mr. Roblin took the chair of the Committee,*

*Les appropriations furent proposées par M. L'INSPECTEUR-GENERAL ROBINSON, item par item.<sup>86</sup> The first item, ((was)) the salary of the Adjutant General of Lower Canada<sup>87</sup>.*

*M. CHRISTIE proposa de réduire à £275 le salaire alloué à l'adjudant-général, au lieu de £500 qui lui est accordé pour ne rien faire comme il a été observé dans la chambre<sup>88</sup>.*

*The amendment was lost.<sup>89</sup>*

*Il ((M. CHRISTIE)) proposa ... de reduire celui de son premier commis à £100<sup>90</sup>.*

((This amendment was lost.))<sup>91</sup>

MR. CHRISTIE moved to reduce the salary of the Speaker to £500 per session, instead of £1000 per annum.<sup>92</sup>

M. LAFONTAINE dit qu'il avait toujours été d'opinion que £500 était une rémunération suffisante.<sup>93</sup>

Several gentlemen on both sides of the House expressed themselves favourable to £1000 which was the salary always given in Lower Canada<sup>94</sup>.

MR. WILLIAMS ... supported the amendment.<sup>95</sup>

MR. BALDWIN said that he would vote this year for the Ministerial proposition but he thought it was high time that the question was permanently settled by act, as it was very disagreeable to have such a matter discussed year after year. He considered the salary of £1000 too high as he did not think that the Speaker should be paid at the same rate as the Ministers. He would however give his vote under present circumstances for the amount in the estimate.<sup>95</sup>

The motion was lost.<sup>96</sup>

MR. THOMPSON moved that the Speaker should receive no sessional allowance as a Member.<sup>97</sup>

((This motion was lost.))<sup>98</sup>

MR. THOMPSON moved to discontinue the pension of £393 6s 1d to William Smith, as late Clerk of the Legislative Council of Lower Canada.<sup>99</sup>

((This motion was lost.))<sup>100</sup>

Il fut objecté par M. GOWAN aux appropriations en faveur des collèges et autres institutions d'éducation du Bas-Canada. Il avertit le ministère que s'il était encore membre à la session prochaine il votera (sic) contre ces allocations, non qu'il crut ces institutions excellentes pour la partie de la province à laquelle elles appartenaient, mais parce qu'on ne faisait pas les même appropriation (sic) pour le Haut-Canada.<sup>101</sup>

On fait observer à l'hon. membre pour Leeds que le Haut-Canada n'a pas droit de se plaindre sous ce rapport. On lui rappelle les intérêts énormes de sa dette; que ses institutions sont dotées largement aux dépens du gouvernement.<sup>102</sup>

MR. ROBINSON said he hoped when the educational system of Lower Canada was fairly in operation, that ... the large amounts paid to various schools would be no longer necessary.<sup>103</sup>

M. HALE lui dit que King's College avait à lui seul pas moins de 500,000 acres des terres de la couronne, (écoutez! écoutez!)<sup>104</sup>

M. HALL voulait absolument que le Bas-Canada (sic) fut mieux partagé que la (sic) Haut-Canada.<sup>105</sup>

((Il y avait)) de grandes manifestations d'incrédulités de la part de la gauche.<sup>106</sup>

On n'alloue que £200 au collège de l'Assomption.<sup>107</sup>

M. DEWITT proposa de substituer £100 à ce chiffre, observant que c'était là un des meilleurs collège (sic) du pays<sup>108</sup>.

Cet amendement fut rejeté.<sup>109</sup>

On observa qu'on donnait davantage aux collèges de Ste. Anne, de Chambly et de St. Hyacinthe.<sup>110</sup>

M. CHABOT fit alors ... observer que si on faisait une injustice au premier, ce n'était pas une raison pour en agir de la sorte vis-à-vis des autres.<sup>111</sup>

Le DR. BOUTHILLIER remarqua qu'on n'allouait que £200 au collège de St. Hyacinthe pour 1845, outre la balance de £150 qui lui revenait pour 1844; pendant qu'on accordait pas moins de £2,222 4s. 4d. au seul King's College du Haut-Canada! que cependant le collège de St. Hyacinthe comptait autant d'élèves que le premier, 160, outre une maison d'éducation sous sa surveillance (sic) et qui est fréquentée par un grand nombre d'autres élèves. Victoria College, une autre maison d'éducation du Haut-Canada n'a pas moins de £1000! Et c'est en présence de ces faits qu'on prétend que le Bas-Canada est mieux pourvu que le Haut.<sup>112</sup>

(386)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Roblin reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again on Monday next.*

*The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,*



War Losses.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 12th ultimo, praying for a Statement, setting forth in detail, the amount of War Losses awarded to individuals or persons in Upper Canada, remaining unpaid; together with the causes why such claims have not been paid; the names of Indians entitled to such remuneration, whether it has been paid to them, and if so, by whom, and when; and also, a detailed Statement of the kind of evidence of such payment.

(For the Documents accompanying the said Return, see Appendix G. G. G.)

And also,

Tonnage and  
Number of  
Ships, &c.,  
owned in this  
Province.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 10th ultimo, praying for a Return of the tonnage and number of Ships and other vessels, owned in this Province, in the year 1844, distinguishing as nearly as may be, those employed on the Lakes; those on the River St. Lawrence, above Quebec; those in the coasting trade below Quebec, and in the Gulf of St. Lawrence; and those in the trade, beyond the seas, as nearly as can be ascertained; steamers from vessels navigated by sails; the ports or places in this Province to which such vessels respectively belong; and the number of seamen employed.

(For the Documents accompanying the said Return, see Appendix H. H. H.)

Orders of  
the Day.

Ordered, That the remaining Orders of the Day be postponed until Monday next, and that the Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty, be then the first Order of the Day.

Then, the House adjourned until Monday next, at 10 o'clock, A.M.

APPENDIX, 22 MARCH 1845.

((NOTICE OF PROPOSED MOTIONS.))

MR. MERRITT gave notice of a motion for an Address to his Excellency the Governor General, prescribing the manner in which the public accounts are to be in future classified and presented to the House.<sup>113</sup>

MR. ((JOHN ALEXANDER)) MACDONALD (Kingston) gave notice of an enquiry of the Government whether they intended this Session to take any steps to relieve the people of Upper Canada of the District taxation for the administration of justice.<sup>114</sup>

((QUESTION AND ANSWER RE: BROCK'S MONUMENT.))

A motion ((was made)) for enquiring into the fund for the erection of Brock's Monument<sup>115</sup>.

The Speaker ((SIR ALLAN MACNAB)) said, that the money collected having been insufficient for the purpose, it had been vested in Government Debentures and Bank Stock, and the interest accumulated thereon now amounted to between £700 and £800.<sup>116</sup>

((QUESTION AND ANSWER RE: APPOINTMENT OF SOLICITOR GENERAL FOR LOWER CANADA.))

MR. CHABOT ((asked a question.))<sup>117</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH said that the Government would fill up the vacant office of Solicitor General in Lower Canada "as soon as an occasion presented itself upon which they could act."<sup>118</sup>

((WITHDRAWN MOTION FOR INFORMATION RE: RESIGNATION OF SOLICITOR GENERAL FOR UPPER CANADA.))<sup>119</sup>

MR. CAMERON moved an address to His Excellency for information as to the tendered resignation of the Solicitor-General.<sup>120</sup>

ATT. GEN. DRAPER would give the hon. member all the information that he could require. The Solicitor-General stated that he would feel himself bound to resign in deference to the feelings of his constituents, if the University Bill were pushed beyond its second reading; but that contingency has not happened, and he still retains his seat.<sup>121</sup>

FOOTNOTES - 22 MARCH 1845.

1. This debate was reported by: PILOT, 25 March 1845; and BRITISH WHIG, 28 March 1845, copied from MONTREAL TIMES.
2. PILOT, 25 March 1845.
3. BRITISH WHIG, 28 March 1845, which consistently spells Ryland as Reyland.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. PILOT, 25 March 1845.
11. The debate on this matter was reported by LA MINERVE, 27 March 1845; MONTREAL GAZETTE, 25 March 1845; PILOT, 25 March 1845; and BRITISH WHIG, 28 March 1845, copied from MONTREAL TIMES.
12. MONTREAL GAZETTE, 25 March 1845.
13. LA MINERVE, 27 March 1845.
14. IBID.
15. The debate on this matter was reported by: PILOT, 25 March 1845, whose account was copied by BROCKVILLE RECORDER, 27 March 1845; and BRITISH WHIG, 28 March 1845, copied from MONTREAL TIMES.
16. BRITISH WHIG, 28 March 1845.
17. The debate on this motion was reported by: KINGSTON NEWS, 27 March 1845; PILOT, 25 March 1845, whose account was copied by BROCKVILLE RECORDER, 27 March 1845; PILOT 25 March, 3, 5 April 1845; LA MINERVE, 24 March 1845, whose account was copied by LE CANADIEN, 28 March 1845; LE JOURNAL DE QUEBEC, 27 March 1845; MONTREAL GAZETTE, 25 March 1845, and ST. CATHARINES JOURNAL, 3 April 1845, in accounts containing some speeches which are identical and some which are completely dissimilar. The GAZETTE's report contains more speakers than the JOURNAL's and some of the GAZETTE's speeches are given in more detail than those in the JOURNAL. Other reports were found in the GLOBE, 1 April 1845, whose account contains some speeches identical and some which are completely dissimilar to those in the MONTREAL GAZETTE, 25 March 1845; and EXAMINER, 9 April 1845, whose account is identical in most respects to that of the MONTREAL GAZETTE, 25 March 1845, except that the GAZETTE's report contains more speakers and some of its speeches are given in more detail. The BRITISH WHIG, 28 March 1845, also carried a report copied from the MONTREAL TIMES, which was identical to but more complete than the accounts in the GLOBE, MONTREAL GAZETTE, and EXAMINER. Commentaries are contained in LA MINERVE, 27 March 1845, and L'AUREOLE, 25 March 1845.
18. GLOBE, 1 April 1845.
19. PILOT, 25 March 1845.
20. GLOBE, 1 April 1845.
21. PILOT, 25 March 1845.
22. GLOBE, 1 April 1845.

23. PILOT, 25 March 1845.
24. GLOBE, 1 April 1845.
25. PILOT, 25 March 1845.
26. GLOBE, 1 April 1845.
27. PILOT, 25 March 1845.
28. GLOBE, 1 April 1845.
29. PILOT, 25 March 1845.
30. GLOBE, 1 April 1845.
31. IBID.
32. IBID.
33. BRITISH WHIG, 28 March 1845.
34. GLOBE, 1 April 1845.
35. IBID.
36. PILOT, 25 March 1845.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID. The PILOT commented: "this hit caused such laughter in the House and below the bar, that Mr. Aylwin could not proceed for several minutes."
43. GLOBE, 1 April 1845.
44. PILOT, 25 March 1845.
45. MONTREAL GAZETTE, 25 March 1845.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. PILOT, 3 April 1845.
58. MONTREAL GAZETTE, 25 March 1845.
59. PILOT, 3 April 1845.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID., 5 March 1845.



69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. IBID.
78. IBID.
79. IBID.
80. IBID.
81. IBID.
82. MONTREAL GAZETTE, 25 March 1845.
83. IBID.
84. IBID.
85. IBID.
86. LA MINERVE, 24 March 1845.
87. MONTREAL GAZETTE, 25 March 1845.
88. LA MINERVE, 24 March 1845.
89. MONTREAL GAZETTE, 25 March 1845.
90. LA MINERVE, 24 March 1845.
91. MONTREAL GAZETTE, 25 March 1845.
92. IBID.
93. LA MINERVE, 24 March 1845.
94. PILOT, 25 March 1845.
95. IBID.
96. MONTREAL GAZETTE, 25 March 1845. The PILOT, 25 March 1845, noted that "Mr. Christie's amendment had about 8 or 10 supporters. The names were not, of course, taken down in committee."
97. MONTREAL GAZETTE, 25 March 1845.
98. IBID.
99. IBID.
100. IBID.
101. LA MINERVE, 24 March 1845.
102. IBID.
103. MONTREAL GAZETTE, 25 March 1845.
104. LA MINERVE, 24 March 1845.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.
112. IBID.
113. MONTREAL GAZETTE, 25 March 1845.
114. IBID. The KINGSTON NEWS, 27 March 1845, contained an identical

account and added: "Such a measure is in contemplation, but will not, we believe, be submitted this session."

115. MONTREAL GAZETTE, 25 March 1845.

116. IBID.

117. PILOT, 25 March 1845.

118. IBID.

119. The debate on this withdrawn motion was reported by: MONTREAL GAZETTE, 25 March 1845; PILOT, 25 March 1845; and BRITISH WHIG, 28 March 1845, copied from MONTREAL TIMES.

120. BRITISH WHIG, 28 March 1845.

121. IBID.

MONDAY, 24 MARCH 1845.

(386)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Boutillier, the Petition of James Corbett, Alexis Paulet, and Louis Millette.

By Mr. Stewart, of Bytown, the Petition of Archibald M'Donell, and others, of the township of Osgood.

By Mr. Dunlop, the Petition of Edmund H. Parsons, and others, of the city of Montreal, and the Petition of Captain John Longworth, of the Second Huron Militia.

Petitions  
read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Thomas L. Crooke, and others, of Sarnia, and other places, praying for a certain aid to open a road from London to Errol.

Of Robert E. Burns, of the city of Toronto, Esquire, praying that the Law relating to district Courts, may be so amended, as to allow him to practice as a Barrister and Counsel in the Courts of Equity in Upper Canada.

Of Robert Layfield, and others, residing near the Gosford road, in the county of Megantic, praying for a certain aid to complete the Gosford road.

Of Robert Layfield and others, of the county of Megantic, praying that any Legislative enactment that may be made relative to the enregistration of voters at elections, may be extended to the said county.

Of J. Draper and J. Crawford, on behalf of the inhabitants of the township of Bayham, in the district of London, praying for the improvement of Otter Creek, so as to render it a safe and convenient harbour.

Ordered, That three hundred copies of the said Petition, together with the certificates accompanying the same, be printed for the use of the Members of this House.

Petition of the  
Municipal Council  
of the Niagara  
District, and of  
R. Hobson, Esq.,  
and others,  
referred.

the United Church of England and Ireland, in the city and vicinity of Toronto, (relating to Schools), and other references.

Ordered, That the Petition of the Municipal Council of the district of Niagara, (relating to the School Act); and the Petition of Robert Hobson, Esquire, and others, of the township of Thorold, in the district of Niagara, be severally referred to the Select Committee, to which was referred the Petition of the Right Reverend the Lord Bishop of Toronto, and others, members of

Leave of  
Absence.

Ordered, That Mr. Chabot have leave to absent himself from this House, during the remainder of the present Session, on urgent business.

Orders of  
the Day.

Mr. Cameron moved, seconded by Mr. Chauveau, that during the remainder of the Session, upon motion made and seconded, to call up any item upon the Order of the Day, the question shall be put without debate.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, accordingly.

Petition of  
Reid and  
Shepperd.

Ordered, That the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal, with instructions, and other references, have power to report from time to time.

Leave of  
Absence.

Ordered, That Mr. Brooks have leave of absence from the seventeenth instant, for the remainder of this Session.

On motion of Mr. Stewart, of Bytown, seconded by Mr. Cameron,

Petition of  
N. Sparks and  
others.

Ordered, That the Report of the Select Committee to which was referred the Petition of N. Sparks and others, of Bytown, and another reference; also the Bill to explain and amend part of an

Act passed in the seventh year of Her Majesty's reign, intituled, "An Act for vesting in the principal officers of Her Majesty's Ordinance, the Estates and Property therein described, for granting certain powers to the said officers, and for other purposes therein mentioned," as reported

(387)

by the said Select Committee, be now committed to a Committee of the whole House.



The House accordingly resolved itself into the said Committee.

Mr. Chabot took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chabot reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Wednesday next, and that it be then the first Order of the Day.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Attorney General Smith,

Welland Canal  
Stock.

Ordered, That the Message of His Excellency, the Governor General, respecting the Debentures for the buying up the Stock held by private individuals in the Welland Canal, presented to this House on the tenth of February last, be committed to a Committee of the whole House on to-morrow.

Public  
Accounts.

Mr. Roblin, from the Committee of the whole House on the first Report of the Special Committee, to which were referred the Public Accounts for 1843, laid before this House on Friday, the 13th of December last, and other references, reported according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That this House doth concur in the first Report of the Special Committee of Public Accounts.

Certain expen-  
ses on the Con-  
solidated Revenue  
Fund.

Ordered, That Mr. Christie have leave to bring in a Bill, to authorize the charge of a certain sum of money therein mentioned, advanced from the Treasury of the Province by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying, during a period therein specified, certain necessary and indispensable expenses of the Civil Government of the Province and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity to all concerned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

*Ordered, That the said Bill be now read a second time, and that the fifty-third rule of this House, be suspended as to the present Bill.*

*The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Christie, Mr. Leslie, Mr. DeWitt, Mr. Williams, and the Honourable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.*

*H. Weeks. Mr. Macdonald, of Glengarry, from the Committee of the whole House on the Message of His Excellency, the Governor General, on the subject of the Petition of Henry Weeks, and the documents accompanying the same, laid before the House on the tenth of February last, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table and agreed to by the House, and is as followeth:--*

*Resolved, That it is expedient to recommend that a grant of Scrip to the amount of four hundred pounds, currency, should be made by the Executive Government of this Province in favour of Henry Weeks, to compensate him for losses which he has sustained in consequence of an erroneous survey of certain lands owned by him in the township of Yonge, in Upper Canada, pursuant to the recommendation contained in the Message of His Excellency, the Governor General, sent down to this House on Monday the tenth of February last.*

*Supply. The Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty, being read,<sup>1</sup>*

A question ((was)) put to Mr. Robinson by MR. MERRITT, as to what course the Government intended to take with regard to the law passed by the American Congress for the inland transportation of foreign goods in bond.<sup>2</sup>

MR. ATTORNEY GENERAL DRAPER said that circulars had been addressed to the principal commercial houses, to learn in what manner it would affect them, but, as yet no answer had been received, and he was not, therefore, prepared to say what course the Government would follow. He was, however, of opinion that no Colonial legislation would be effective, but that it would be necessary to obtain an Imperial Statute.<sup>3</sup>

MR. ROBINSON said, that as the question had been addressed to him as Inspector General, he felt bound to state to the House that he no longer held that appointment, his resignation having been officially accepted by the Governor General.<sup>4</sup>

(387)

*The House accordingly resolved itself into the said Committee.*

*Mr. Roblin took the chair of the Committee,*

The item of the expense of fitting up Monklands was again taken up and caused considerable discussion<sup>5</sup>.

M. BOULTON objecta au vote de la somme demandée (£6000) pour réparations à l'hôtel Monkland (la résidence du gouverneur-général); il aurait voulu au moins qu'avant de faire une aussi forte dépense on eût acheté la maison, au lieu de la louer pour cinq années seulement.<sup>6</sup>

M. THOMPSON ... ((pensait)) que les réparations n'auraient pas coûté plus de £2000 si le bureau des travaux public eût exercé une surveillance convenable.<sup>7</sup>

(387)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Roblin reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again in the afternoon sitting of this day, and that it be then the first Order of the Day.*

*Then, the House adjourned until three o'clock, P.M., this day.*

3 O'Clock, P.M.

*A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--*

MR. SPEAKER,

*The Legislative Council have passed the following Bills, without any amendment:--*

North American  
Colonial Asso-  
ciation.

*"An Act to give further powers to the North American Colonial Association of Ireland."*

Public  
Improvements.

*"An Act to correct and amend an Act, passed in the Session held in the fourth and fifth years of Her Majesty's reign, intituled, 'An Act to appropriate certain Sums of Money for Public Improvements in this Province, and for other purposes therein mentioned.'"*

*And also,*

Culling and  
Measurement  
of Timber.

The Legislative Council have passed the Bill, intituled, "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned;" with several amendments, to which they desire the concurrence of the Legislative Assembly.

And then he withdrew.

Supply.

The Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty,

being read,

The House accordingly resolved itself into the said Committee.

Mr. Roblin took the chair of the Committee,

The subject of the repairs at Monklands was again taken up.<sup>8</sup>

MR. AYLWIN stated his intention to oppose the vote in every stage. He commented severely upon the extravagance of the outlay upon a property which was only leased for five years. He ridiculed the two allegorical pictures placed in the House by the orders of the late Speaker, and which he characterised as two daubs done by some Montreal painter. It had been asserted that these expenses would be borne by the Governor-General, and yet they were now found in the estimates. He drew attention to the state of the Court House of Montreal, and asked why a sum of money had not been put in the estimates for its restoration - and the same with regard to the Gaol and Court House of Quebec. He wished to know why, after the allusion made to it in the speech from the Throne, a Lunatic Asylum had not been erected in Lower Canada. He alluded to the state of the Gaols in Lower Canada, in spite of their repeated presentments of their shameful condition. How was it when these debts due to humanity were not paid, that so large a sum of money had been lavishly expended upon the embellishment of the residence of the Governor-General. He referred to the resignation of the Hon. Inspector-General, the ornament of the Administration, without whom the Ministry could not have been formed, and he predicted therefrom the downfall of the Administration, for that gentleman's name was a tower of strength to it.<sup>9</sup>

MR. HALL had not the splendid powers of declamation of the Member for Quebec, nor his facility of digressing to all subjects under Heaven and Earth; but he remembered when the late Inspector General had brought forward his Customs Bill, the Member for Quebec had made a furious attack upon that gentleman, and represented him as a disgrace to the Administration, ridiculed the statement with which he introduced that measure and represented him as an individual of the meanest capacity, and utterly incompetent to the office, and yet he was now lauded as the ornament and mainstay of the Administration; he would like to know which of these statements the House was to believe. The fact was, that the Hon. Member for



Quebec said one thing to-day and another to-morrow. He agreed with him, however, that the pictures upon the walls of the House, for which they were called to pay £40, were miserable daubs, and would disgrace a tavern. The Hon. gentleman was very angry because a Court-house had not been built in Montreal, and because the Gaols and Court-houses of L. Canada were not repaired, surely when the House was regaled with dissertations upon the wealth of Lower Canada, it was able to build Court-houses for itself, when in the woods of Upper Canada the people could afford to build their own, and in his district the sum of £6000 had been thus expended. When such was the case, he considered that Members for Lower Canada ought not to cry out so outrageously, and abuse the Ministry for what they had not done for Lower Canada. He was prepared to show from the estimates that no less than £80,192 was thereby appropriated for Lower Canada more than for Upper Canada, at the same time that it contributed to the general revenue a much less sum than Upper Canada. Of the goods brought into the country, and upon which the revenue was in a great measure derived, at least one half were consumed by Upper Canada.<sup>10</sup>

"No, no, one quarter," from the Opposition<sup>11</sup>.

"Yes, two-thirds," from the Ministerial side.<sup>12</sup>

He ((MR. HALL)) was convinced that Upper Canada consumed two-thirds, but he would, for argument's sake, say one-half<sup>13</sup>.

"With what you smuggle from the United States," from MR. AYLWORTH.<sup>14</sup>

He ((MR. HALL)) said that Upper Canada consumed one half of the imports, and it must be so, because Lower Canada neither raised nor possessed anything by which it could pay for what it consumed.<sup>15</sup>

"Allons donc," and uproar among the French Canadian members.<sup>16</sup>

((MR. HALL continued:)) Yes, Hon. Members might cry allons donc as long as they chose, but that would not disprove his statement, let them take the statement of the Revenue as published, and look into the figures and they would find that, in the article of Customs, Upper Canada paid £88,000 other than the duties received in Lower Canada. He did not himself object to this, nor did he grumble at the greater appropriation to Lower Canada, but when it was the fact, he thought it did not become Hon. gentlemen from that section of the province, to grumble at the treatment which it received at the hands of the Government. Nor was the difference in this item the only one, it would be found in every other; the fund arising from Marriage Licenses was, in Lower Canada, £493, and in Upper Canada, £2,054. A great outcry was made upon every available occasion about the £50,000 of surplus Revenue which Lower Canada possessed at the time of the Union, and which had been squandered by Lord Sydenham, now he would not ask how that money was obtained, he would not inquire whether it had not been derived from the appropriation of two thirds of the duties

derived from articles imported for the use of Upper Canada, - he would like to know whether it was not balanced by the 180,000 acres of Upper Canada land granted to persons in Montreal. Honourable Gentlemen were fond of crying out that Upper Canada was bankrupt at the time of the Union, that its stock was at a discount, and, as soon as the Union was effected, up went the stock from £80 to £112, and all in consequence of the Union with Lower Canada. It was the first time he had heard that Lower Canada enjoyed such excellent credit, and he would like to know whether that increase in the value of stock was not more owing to the guarantee of the British Government, than to any magic influence possessed by Lower Canada. (Cheers.) Let honorable gentlemen look to the item of elections and they would find that in Upper Canada they cost £1900, and in Lower Canada, £3400, and he would ask whether the Members for Lower Canada were worth twice as much as those from Upper Canada. (Cheers and laughter) There was the item of Registration in Lower Canada, he knew not what for, £1600, of which Upper Canada had to pay one-half, without deriving any benefit from it. There was the census, which was taken to prove that the population of Lower Canada was 600,000, while that of Upper Canada was only 500,000; and this census cost £4288 in Lower Canada, of which Upper Canada had to pay one half, while that of Upper Canada cost the Government nothing at all. And yet, with all these things staring them in the face, Hon. Members cried out for justice to Lower Canada. Then, there was the Feudal Tenure Commission, £1500, but that was such a small matter it was not worth talking about. Upper Canada paid for its own administration of justice, and for sweeping its own chimneys; but, in Lower Canada, £21,900 was appropriated for the one purpose, and a small item for the other; Upper Canada had to pay its own legal expenses and half of those of Lower Canada, and yet, if they were to believe the cry that was raised, there was no justice to Lower Canada, but it was sacrificed upon every occasion. When he heard such statements coming from those who affirmed one thing one day, and the diametrically opposite tomorrow, they had no effect upon him, unless accompanied by proof. When he heard such statements made, and such parallels drawn between the two sections of the Province, by men whose commercial transactions never exceeded the value of a dead donkey - (laughter) - he might listen to them, but they had no effect upon him. For four months he had sat in that House, and heard these cries of justice for Lower Canada, and he now brought forward figures to show that Lower Canada had had more than a fair measure of justice. He would ask, who was benefitted by the public works, was it Upper Canada? No!<sup>17</sup>

Yes! Yes!<sup>18</sup>

((MR. HALL continued:)) No! it was Lower Canada! Did the revenue of Lower Canada arise from the agriculture of the country, or was it from the customs arising from imports. If the trade of Upper Canada was worth nothing, if it was a matter of no consequence to Lower Canada, how was it that, when a law had been passed by the Legislature of the United

States which would enable the people of Upper Canada to buy cheaper in her markets than in Montreal - how was it that meetings were called and deputations formed to prevent the people of Upper Canada from purchasing in their cheapest market. Was the revenue of Lower Canada derived from wheat, or was it from duties? It was impossible for the people of Lower Canada, out of their own resources, to pay for what they imported for their use, for they raised nothing and they had nothing. (Cheers and uproar.) The people of Lower Canada never had the courage to get into debt, they were like those individuals at home of stated limited incomes upon which they lived, and never exceeded them, because, if they got into debt, they had neither the brains nor the courage to get out of it. He admired their prudence, but he did not think they were the sort of people to live on the Continent of America, with the people of Upper Canada on the one side, and of the United States on the other. (Cheers and uproar which lasted for some time.) When Hon. gentlemen spoke of Lower Canada having paid the debts of Upper Canada, he smiled at such assertions, because he knew them to be false; had he considered the charge true he should, most likely, have met it with the uproar with which his facts were now met, and tried to drown it. He did not see how Lower Canada could have paid the debts of Upper Canada unless there was a special dispensation of Providence in its favour. He did not make these remarks through any ill feeling to the Members or people of Lower Canada; but he had heard remarks made by Hon. gentlemen upon the other side which would have been much better left unsaid, and that about the bankruptcy of Upper Canada was one of these. And he did think that when the facts did not warrant such assertions, it would be much better that they were not made. He had been led into this discussion unexpectedly by the remarks of the Member for Quebec. As to the question before the House, the grant for the alterations at Monklands, he did consider that the expenditure had been extravagant. But he did not consider this the fault of the President of the Board of Works, but of those who imposed upon him duties greater than three men could effectively perform. There was no doubt that the President of the Board of Works had been compelled to employ an architect in Montreal, and he had been the cause of this lavish expenditure. Under the circumstances he did not see that the House could do otherwise than make the grant.<sup>19</sup>

MR. AYLWIN in explanation acknowledged that he had said that he did not consider the late Inspector General capable for the situation he held; but he had never detracted anything from his integrity. He had said that that gentleman was a tower of strength to the Administration, and he considered him so because of his integrity, because of the great virtue of resignation which his colleagues did not possess. He had said that he did not consider that that gentleman did justice to the office he held; but though he had not done so, he did not consider that the expression of that opinion prevented him from now doing justice to him who, though not in favour of Responsible Government, yet by his example carried out its principles.<sup>20</sup>



MR. ATT. GEN. ((JAMES)) SMITH regretted the occurrence of the digression which had taken place. With regard to the item before the House, if Honble. gentlemen would look into it, they would not find it such a profligate expenditure as it had been represented. In the first place, the contract price for the first alteration made at Monklands, was £3,500; it was the lowest tender, and lower by £1,000 than the next. At the time that contract was made, it was generally considered to be too low, and he had himself, although not then belonging to the Ministry, expressed his opinion that the Contractor would not be able to fulfill his contract without a loss, and the result would be that he would apply to the Government for an additional sum for extra work, - and such was the case. In consequence of the removal of the Seat of Government, it became necessary to provide a suitable residence for His Excellency within a limited period, and Monklands was the only one which could be obtained upon anything like reasonable terms. One gentleman who had a fine House, was applied to, and he asked £800 per annum, although it would have required the outlay of several thousand pounds to make it fit for a vice-regal residence. Another citizen of Montreal, who possessed a splendid residence, and yet requiring considerable outlay to make it available for the purpose, asked £1,000 per annum. When these circumstances were taken into consideration, and it was remembered that Monklands was leased for five years at a cost of £175 per annum, the outlay upon it of £6,000 was not so much out of the way. It was impossible to procure a building suited to the purpose, it was necessary to obtain one without delay, and he called upon any one acquainted with buildings to say if as great economy had not been used as was consistent with the extent of the accommodations required. An ordinary private residence could not be erected for less than £2,500, and the additions to Monklands were more considerable than two or three private homes. The fencing, stables, sheds, and outhouses, cost £180, while the stables of an ordinary house would cost £200. The cuisine, a most necessary appendage for the production of those exquisite dinners of which Hon. gentlemen had partaken, was fitted up at the expense of £500, and could that be called extravagant? Let Honble. gentlemen look into the several items which made up the gross expense, and they would find that though as a whole it appeared extravagant, yet when examined separately, they would be found the contrary. As to what had been said concerning the sale of Monklands for £3,000, he had understood that that sale was in consequence of family arrangements, and could not be advanced as a criterion of its value. He believed that otherwise, it could not have been purchased for three times that sum.<sup>21</sup>

MR. MOFFATT said that he considered that the amount of the expenses incurred in fitting up the residence of the Governor General was pledged by the Legislature, by the vote for the removal of the Seat of Government. He did not himself complain of the amount which had been expended in the alterations at Monklands; but he did complain that the sum was expended upon premises held on so short a lease.<sup>22</sup>



MR. DRUMMOND wished to correct a false impression which might go abroad from the concluding remarks of the Attorney General. Monklands had not been sold under its value, on the contrary, it had been offered for ten days prior to its sale, and was not sold for the price it brought in consequence of any family arrangement.<sup>23</sup> The fee simple ... had been sold for £3000 and previously valued by the Sheriff at £2500.<sup>24</sup>

The item was then passed.<sup>25</sup>

((The next item was)) the grant of £1000 to Colonel Fitzgibbon, in lieu of a grant of 5000 acres of wild lands voted to him by the Legislature of Upper Canada.<sup>26</sup>

DR. DUNLOP, MR. CAMERON, and MR. MURNEY strongly supported the claim of the Colonel Fitzgibbon, on account of the services he had performed, and his high character as a man.

((MR. MURNEY)) complained of the smallness of the sum, which he considered to be incommensurate with the value of the land granted (5000 acres) and regretted that a larger amount had not been proposed by the Ministry.<sup>27</sup>

MR. THOMPSON did not consider that Colonel Fitzgibbon had done more than any other man, but would vote for the grant as it was guaranteed by the Upper Canada Parliament.<sup>28</sup>

MR. ((GEORGE)) MACDONELL, of Dundas, opposed the grant, because he thought Col. Fitzgibbon had been well rewarded for the services he had performed, both by his Sovereign and the Provincial Government.<sup>29</sup>

MR. ((JOHN SANDFIELD)) MACDONALD, of Glengarry, would vote for the sum, in order to get rid of the matter, which had been constantly before the Legislature in some shape or other for several years past, not because he thought Colonel Fitzgibbon had a better claim than many others.<sup>30</sup>

MR. BOULTON expressed his surprise at the remarks made by the member for Dundas, and said that he was prepared to vote for the £1000 now, and for another £1000 next year, if the ministry would propose it, as he hoped they would do.<sup>31</sup>

MR. WILLIAMS referred to the services of a number of individuals who had distinguished themselves during the rebellion, and who, he considered, were quite as much entitled to compensation as Colonel Fitzgibbon.<sup>32</sup>

MR. JOHNSTON took a similar view, and said he would not vote for more than £300.<sup>33</sup>

SIR ALLAN MACNAB warmly supported the claims of Col. Fitzgibbon to whose services he bore testimony.<sup>34</sup>

MR. AYLWIN strongly opposed the grant, and gave as one reason, that Col. Fitzgibbon had monopolized honor that did not rightfully belong to him. He had received credit for the affair at the Beaver Dam, whilst in point of fact, the party to whom that credit was due, was Major Delorimier, a relation of his own, and a native of Lower Canada, but instead of being rewarded for his services, Major Delorimier could not obtain the life of his son, when he afterwards solicited it. He referred to the rewards which Col. Fitzgibbon had received.--He was allowed to receive £500 a year for a situation, the duties of which he did not fulfil, and had not fulfilled for several years. This was a better pension than he would have received under any other circumstances. Besides this, his son had received the appointment of a Clerk of the Peace, and several other sons had at different times been employed under the government.<sup>35</sup>

MR. SOLICITOR GENERAL ((HENRY)) SHERWOOD made a warm appeal in favour of Col. Fitzgibbon.<sup>36</sup>

MR. CHALMERS said he would not grant one farthing of the sum asked for until provision was made for the orphans and widows of those who had fallen in performing similar services with Col. Fitzgibbon.<sup>37</sup>

MR. CAMERON said he believed that every widow whose husband had fallen during the seasons of 1837-8 had received a pension from the Government.<sup>38</sup>

MR. CHALMERS replied that this had been the case with the most prominent persons - the rich, but not the poor.<sup>39</sup>

((There was a good deal more debate.))<sup>40</sup>

The question for the grant was put and carried by a considerable majority.<sup>41</sup>

The item of £560 for contingent express of the education office ((came up.))<sup>42</sup>

MR. PRICE ... demanded explanation; he wished to know whether any portion of it was to be paid for the travelling expenses of Dr. Ryerson.<sup>43</sup>

The appointment of that individual ... was ... defended by MESSRS. DRAPER & SHERWOOD & DR. DUNLOP.<sup>44</sup>

MR. CAMERON made a ... speech on the subject asserting that the job by which Mr. Murray had been transferred to King's College and Mr. Ryerson appointed in his room had disgusted the whole Population.<sup>45</sup>

MR. AYLWIN moved an amendment to the effect that no Minister of the

gospel should fill the office of Superintendent.<sup>46</sup>

MR. ROBLIN although he could not vote for a proposition to exclude all Clergymen as such, condemned the appointment of Dr. Ryerson and stated that the interference of that Gentleman in politics had caused great disgust to the Members of his own Church. He was himself one of the Board of Victoria College and he could state of his own knowledge that the institution had been deeply injured by the conduct of Dr. Ryerson.<sup>47</sup>

DR. DUNLOP defended the appointment of Professor Murray and stated that he had testimonials from Sir David Brewster and other eminent Mathematicians as to his capability. He said that the attacks on that Gentleman were on the authority of school boys and small tea parties.<sup>48</sup>

MR. BALDWIN referred to the appointment of Professor Murray as one of those jobs which was not calculated to ensure either respect or confidence for the administration. With regard to Dr. Ryerson, although he could not support Mr. Aylwin's amendment to prescribe all clergymen, he would say that no prominent Theologian of any sect should be appointed. Suppose for instance that the venerable Prelate at the head of his own Church were in a position in which he could accept such an office - and certainly it would be admitted that as far as regards talents to fill it, and a zealous exertion of those talents in the cause of education, the Right Rev Prelate could at least bear comparison with Dr. Ryerson; but suppose he said that the position of the Right Rev. Prelate in the Church was not such as to preclude his accepting an office of the kind, and that he had been appointed - what, said Mr. Baldwin, would have been the consequence? There would have been a flame kindled from one extremity of the Province to the other; and justly so. The active part taken in behalf of his own Church would of course prevent such an appointment from being generally satisfactory. But in this case the office was the reward of political subserviency to the powers that be, of the abandonment of every principle; - and what was this individual doing now? - Writing political letters in London instead of visiting the continent and obtaining that information which was his avowed object of his journey. As to the mode in which his expenses were to be paid - if by the means generally reported - then, said Mr. Baldwin, I give no thanks for such charity. I do not acknowledge such acts of benevolence. It is a bribe to public men - an inducement to sacrifice their principles and their country - no credit should be given for it - such charity is not dictated by feelings of benevolence or any other feelings at all creditable. He then referred to the fact that there was no report from the acting superintendent - the duties had not been discharged - there was a report from Lower Canada - and notwithstanding all the slanders uttered against the people of that Province, there was evidence of their anxiety regarding education. Upper Canada had been wholly neglected, and the House was without information. He objected to the residence at Coburg; it was a job to suit the convenience of individuals, and it was very inconvenient not to have the superintendent at the Seat of Government ... Mr. Baldwin



then referred to Mr. Sherwood's eulogy on Dr. Ryerson's Constitutional doctrines. He (Mr. B.) would be sorry indeed to endorse such opinions, and the day would come when Mr. Sherwood would be sorry for it. Mr. Baldwin repeated his former assertion as to the unfitness of Mr. Murray for the chair of mathematics and appealed to the hon. member for Toronto to confirm the truth of his statement.<sup>49</sup>

MR. BOULTON having been directly appealed to must say that he entirely disapproved of the appointment. Hon. members must know and feel that Mr. Murray is wholly (sic) incompetent. The students would not go to the college because they could teach the Professor. It had been made to please the Presbyterians and yet they were as much dissatisfied with it as any other class. As to Mr Ryerson's appointment it was a mere job to buy over an obnoxious man, and for his part he did not approve of buying a political apostate (sic) who was not worth the purchase. He did not believe that individual had any influence whatever in the elections. The appointment was an insult to every clergyman of the Churches of England, Scotland, and Rome.<sup>50</sup>

MR. DRAPER disclaimed all responsibility for Mr Murray's appointment - it was made by the Chancellor of King's College and he was not an adviser of the Chancellor. As to Dr Ryerson's appointment it had been made before the elections and the best proof that it had not damaged the ministry was the support they had obtained in that House. He felt confident that whatever might be the objections to Mr. Ryerson on political grounds the duties of the office would be well performed.<sup>51</sup>

MR. PRICE said that no man had a greater respect than he had for a consistent Minister of the gospel but no man had a greater detestation of a political priest. Where was Mr. Ryerson now? In England writing politics, neglecting his duties, which had not been performed at all. The hon. member for Toronto (Mr. Sherwood) had referred to the pamphlet of Dr. Ryerson but the fact was that hon. members opposite had been compelled to come down to this House and act on the principles of the late Ministry. The Hon. Attorney General East had stated not only that he must be consulted but that unless his advice was followed he would resign.<sup>52</sup>

MR. ERMATINGER also denounced this appointment.<sup>53</sup>

The vote for Dr. Egerton Ryerson was at last agreed to.<sup>54</sup>

Some discussion took place on a claim made by Mr. Louney, a contractor under the Board of Works, for compensation for loss sustained by the stoppage of the work on which he was engaged by order of the Board. The amount asked for was £140. Ultimately the grant was agreed to.<sup>55</sup>

The Committee then took up the proposed public improvements.<sup>56</sup>



MR. LAFONTAINE moved the postponement complaining of gross partiality on the part of the administration in distributing this money.<sup>57</sup>

MR. MERRITT supported the amendment. He was opposed to all these grants. The hon. member then read a lecture about the consolidated fund which is his aversion.<sup>58</sup>

MR. SHERWOOD said that the hon. member for Lincoln was opposed to every improvement on dry land. Slack water navigation is his motto (laughter).<sup>59</sup>

MR. ARMSTRONG made some ... statements about the works at Lake St. Peter which he said were calculated to do serious injury to the neighbouring country. As we understood the hon. member they would have the effect of damming up the mouths of two tributary streams of the St. Lawrence and would ruin thousands of people. The charts too, he said, were in many respects totally false.<sup>60</sup>

((M. TACHE:)) Mon objet, en demandant la parole, est de me déclarer formellement contre tout vote d'argent pour améliorations publiques dans le Haut-Canada, parce que le Haut-Canada a déjà beaucoup plus obtenu pour ses travaux publics qu'il ne pouvait raisonnablement exiger en droit et en justice; et je me flatte qu'il me sera facile de faire voir, aux yeux de tout homme impartial, l'odieux contraste des millions employés dans le Haut-Canada, et l'oubli et l'abandon entiers dans lesquels on a laissée (sic) une autre partie considérable de la province. De plus, mon objet, en prenant la parole, est de remplir un engagement solennel que j'ai contracté envers l'honorable membre pour Peterborough (sic), de prouver, par des faits et par des chiffres, comment et en quoi le Haut-Canada a été sacrifié aux intérêts du Haut-Canada, et j'ai pensé qu'une occasion plus favorable ne pouvait se présenter pour remplir ma promesse que celle où l'on se propose de consommer un nouvel acte de corruption et de favoritisme à l'égard du Haut-Canada.

Ce doit être, pour un habitant de l'immense étendue de pays située entre Québec et Bonaventure, un triste sujet de réflexion que celui de la distribution des argents de la province, pour l'objet des améliorations publiques depuis l'établissement de la constitution. La chambre d'assemblée du Bas-Canada n'a pas été exemptée elle-même de reproches sous ce rapport: car elle a bien eu ses faiblesses et ses favoris, mais comme elle n'est plus, je ne troublerai pas sa cendre, qu'elle repose donc ex paix! Ce n'est que de distributions plus récentes dont je veux occuper un instant l'attention de cette chambre; je fais allusion à l'écoulement des argents publics depuis l'Union, et à la dette énorme du Haut-Canada dont on nous a accablés et rendus solidairement responsables en dépit de nos protestations et contre toute justice. D'après la distribution des deniers publics en 1841, on serait en vérité porté à croire que le vaste territoire situé sur les deux rives du St. Laurent, s'étendant de Québec au cap de Bonaventure d'un côté, et de Labrador à Québec de l'autre, contenant au moins un onzième de la population entière de la province, n'appartient

point au pays; que c'est quelque chose de si éloigné, de si inconnu, de si peu d'importance qu'à peine fût-il question à cette sinistre époque d'y jeter un regard; ou bien donc que, véritable pays de Cocagne ou d'El-dorado, ses habitants vivant dans l'abondance et les délices, et goûtant déjà dans ce paradis terrestre toutes les jouissances de l'Elysée, n'avaient plus besoin d'aucun secours d'ici-bas. Mais voyons un instant le montant des argents votés en 1841 et les différents travaux auxquels ils furent destinés:

#### BAS-CANADA

Canal Lachine et les lacs St. Louis et Saint-François . . .	£490,067	0	0
Lac St. Pierre . . . . .	58,000	0	0
Rivière Richelieu . . . . .	21,000	0	0
Baie des Chaleurs . . . . .	15,000	0	0
Gosford à Québec . . . . .	10,000	0	0
Ponts entre Québec et Montréal . . . . .	34,000	0	0
Cascades à la ligne provinciale . . . . .	15,000	0	0
Ottawa au St. Laurent . . . . .	1,500	0	0
Total pour le Bas-Canada . . . . .	£644,567	0	0

#### HAUT-CANADA

Canal Welland . . . . .	£450,000	0	0
Do. Burlington Bay . . . . .	45,000	0	0
District de New-Castle . . . . .	50,000	0	0
Lacs Ontario et Erié . . . . .	74,000	0	0
Rivière Ottawa . . . . .	28,000	0	0
Brantford à London . . . . .	55,000	0	0
London à Sarnia . . . . .	15,000	0	0
Chemin Nord du Lac Ontario à Toronto . . . . .	30,000	0	0
London à Chatham . . . . .	55,000	0	0
Hamilton à Port Dover . . . . .	30,000	0	0
De la ligne entre le Haut et le Bas-Canada, Dickenson's Landing . . . . .	201,615	0	0
Total pour le Haut-Canada . . . . .	£1,033,615	0	0

Ces sommes non-seulement votées, mais presque entièrement dépensées sont des faits accomplis que personne n'osera révoquer en doute; et le chiffre de la population entière de la province étant aussi quelque chose de positif devra me servir de base pour mieux faire ressortir l'inique distribution des argents publics que le lord Sydenham avait en vue pour mieux corrompre le peuple du Haut-Canada en lui offrant l'appât de la dépouille de la province inférieure.

Maintenant, ce £1,033,615 0 0 donne donc au Haut-Canada en raison de sa population pour améliorations publiques (la population de cette partie de la province étant de 506,055 habitants) £2 0 11 par tête. Et en regard de cette proportion, qu'avons-nous pour le Bas-Canada? £644,567 accordés pour la même fin à une population de 678,590 habitants, ou 18s. 11 3/4 d. par âme, pas la moitié de la somme accordée au Haut-Canada.

Mais par rapport au Bas-Canada lui-même pris comme un tout, la somme accordée à la partie au dessous de Québec, étant de £15,000 pour une population de 108,000 habitants, ne donne que 2s. 10d. par âme, ou à-peu-près un septième de ce qui a été accordé au Bas-Canada. Enfin, si l'on compare la proportion des sommes votées au Haut-Canada relativement à cette partie de la province située entre Québec et Bonaventure, avec une population de 108,000 habitants qui n'a obtenue que £15,000 comme je viens de le dire, on n'aura plus que quelque chose approchant un quinzième; c'est-à-dire que, lorsque le Haut-Canada recevait 15s. par tête pour améliorations publiques en 1841, les habitants au dessous de Québec n'en recevaient qu'un.

Mais ce n'est pas encore tout: car il faut se rappeler que le Bas-Canada a été forcément tenu responsable et solidaire d'un autre million et demi, formant la dette du Haut-Canada avant l'union, lequel ajouté à la somme votée en 1841 pour le Haut-Canada donne £2,533,615 0 0. Ainsi d'après l'exposé que je viens de faire, fondé sur des faits et sur des chiffres il paraîtra arithmétiquement prouvé que les avantages obtenus par le Haut-Canada sur le Bas-Canada sont dans les proportions suivantes:

Pour le Haut-Canada comme 5 sont à 1 pour le Bas-Canada; et pour le Haut-Canada à la partie au dessous de Québec, comme trente cinq sont à un, ou en d'autres termes comme sept piastres sont à un chelin.

Cependant, c'est en face de pareils faits que l'on nous demande gravement en quoi et comment le Bas-Canada a été sacrifié aux intérêts du Haut-Canada? Et si c'était là encore tout: mais non! un esprit de convoitise perce et se fait jour constamment chez un certain parti. Aujourd'hui, c'est le paiement de £40,000 pour pertes souffertes dans le Haut-Canada durant les derniers troubles, que l'on vient d'enlever des fonds consolidés de la province: a-t-on proposé une pareille mesure pour le Bas-Canada? Demain ce sera les dépenses de l'administration de la justice dans le Haut-Canada que l'on demandera à défrayer à même le trésor provincial! Et des symptômes d'empiétement et d'envahissement jusque sur nos institutions religieuses et d'éducation ne se sont-ils pas déjà montrés? Témoin le bill de l'hon. membre pour la cité de Montréal, et l'avis de motion de l'hon. membre pour le 2d Riding d'York.

Néanmoins l'administration provinciale non contente des iniquités de lord Sydenham propose de nouveau une répartition, pour améliorations publiques, basée sur l'échelle de cet homme d'état d'odieuse mémoire, annonçant une seconde fois aux habitants du Bas-Canada que le pillage des coffres provinciaux est à l'ordre du jour; mais je me hâte d'en venir aux chiffres. On a classé les travaux à faire en trois catégories, en ceux destinés pour le Haut-Canada et ceux d'un caractère général liés au commerce et aux revenus du pays; mais tous les travaux de cette dernière classe peuvent se placer dans le chiffre de l'une et l'autre province à l'exception de l'item des phares qui a rapport aux deux.

Pour le Bas-Canada pour 1'année courante, . . . . .	£55,250	0	0
Balance pour finir les ouvrages commencés, . . . . .	19,564	0	0
Total pour le Bas-Canada, . . . . .	<u>£74,814</u>	<u>0</u>	<u>0</u>



Pour le Haut-Canada pour l'année courante, . . . . .	£63,950	0	0
Balance pour finir les ouvrages commencés, . . . . .	59,849	0	0
Total pour le Haut-Canada, . . . . .	£123,799	0	0
Bas-Canada porté ci-contre, . . . . .	74,814	0	0
Phares pour les deux provinces, . . . . .	7,900	0	0
Grand total, . . . . .	£206,513	0	0

Maintenant voyons les proportions de cette répartition relativement à la population des deux provinces? Une somme de £123,799 0 0 est accordée au Haut-Canada, contenant une population de 506,055 habitants ce qui lui donne 4s. 10½d. par âme. En regard de ces chiffres qu'avons-nous pour le Bas-Canada? £74,814 0 0 pour une population de 678,590 habitants, ou tout simplement 2s. 2½d. par tête, pas la moitié de ce qui est alloué au Haut-Canada, ce qui a été l'échelle de lord Sydenham en 1841. Mais indépendamment de ces proportions, basées sur la population, le vote que l'on nous propose qu'aujourd'hui laisse une balance de £48,985 0 0 en faveur du Haut-Canada, plus de la moitié de ce qui est destiné au Bas-Canada et près d'un quatrième au grand total de l'estimé?

Cependant ne voit-on pas tous les jours lorsqu'il s'agit de concourir, dans un item concernant le Bas-Canada, placé sur le tableau de la dépense publique de cette province, long-temps avant l'union, ne voit-on pas, dis-je, le parti opposé de la chambre crier à l'injustice et demander que les deux provinces soient mises sur un pied d'égalité, oubliant que pour quelques centaines de louis qu'il nous reproche il nous arraché des millions; et que l'intérêt de la dette du Haut-Canada dont il nous a accablés, suffirait seul pour payer toutes nos dépenses civiles?

Quant aux comtés de Rimouski, de Kamouraska, de l'Ilet et de Bellechasse, avec une population de 66,581 habitants, plus d'un huitième de la population entière du Haut-Canada, zéro! pas un sou en 1841, pas un sou en 1845!! Ce qui montre qu'il est arrêté que le Bas-Canada français ruiné par l'Union, franchira le sentier ardu de la vie sans pain et sans vêtements, tandis que la partie choyée de la province gorgée de ses richesses, brillante de ses dépouilles étalera son luxe insolent et se vantera de sa prospérité si mal acquise. A cette seule pensée qu'elle (sic) est l'ancien habitant du pays qui ne sentirait pas son sang s'allumer et des larmes d'indignation couler de ses yeux! Habitants des deux rives du St. Laurent au-dessous de Québec, vous voudriez quelques deniers des coffres publics pour vous aider à améliorer vos ports et vous mettre en état, trente ans après les autres parties de la province d'établir une ligne de bateaux à vapeur pour faciliter votre commerce et transporter les produits de votre agriculture au marché? Que vous a-t-on répondu d'abord? Qu'on ne connaissait pas suffisamment vos besoins, qu'on ne savait pas ce que vous vouliez, que vos demandes n'étaient pas assez spécifiques. Pauvres novices! vous êtes si étrangers aux spéculations et aux intrigues: vous apprendrez plus tard que dans ce siècle de fer, il fallait savoir burler avec les loups. Néanmoins je dois l'avouer, à la louange du ministère, il paraît que l'on veut au moins ménager les apparences puisque l'on ordonne cette année une exploration, une espèce d'enquête en réponse à vos



demandes. Mais je crains fort que tout cela ne soit que du bunkum, car les votes de cette année mettront de longtemps la province hors d'état de pouvoir vous accorder un farthing. Vous avez aussi demandé un peu d'aide pour vous permettre de pénétrer dans l'intérieur de vos forêts pour exploiter les richesses qui dorment dans le désert, attendez que l'on ait de nouveau dépensé 35s. par tête dans le Haut-Canada et peut-être alors, et seulement alors, aurez vous le misérable shelling que l'on a accordé aux comtés de Gaspé et de Bonaventure, car c'est là suivant toutes les apparences la mesure des entrailles du gouvernement à votre égard: J'aimerais à me tromper, car il faut avouer que cette idée est plus que décourageante.

Mais dira-t-on, peut-être, la proportion des deniers publics que vous avez reçue est petite, à la vérité, mais elle est suffisante: car de quelle importance êtes-vous pour oser demander à partager avec nous? En quoi donc contribuez-vous à la prospérité du pays? En quoi! la chose ne sera pas difficile à prouver. Comme il est généralement admis que c'est l'exportation, ou l'échange, du surplus de l'industrie qui fait la richesse des peuples, et que les peuples sont d'autant plus riches que la balance de l'échange, de l'industrie est plus grande en leur faveur, je vais examiner en quoi la partie inférieure de la province est importante, et si elle fournit son contingent d'exportation par le fleuve St. Laurent en raison de sa population.

#### ANNEE 1844.

##### Montant expédié à l'étranger à la

Douane de Gaspé . . . . .	£25,499	9	4
do do do à New-Carlisle . . . . .	31,385	1	1
do do do à la Pointe aux Pères . . . . .	33,439	5	0

##### 180,000 madriers manufacturés à St.

Thomas, St. Valier, le Cap et l'islet, exportés par W. Price, Ecr., et entrés à la Douane à Québec . .	10,500	0	0
--	--------	---	---

##### 170,000 madriers manufacturés à St.

Thomas et expédiés par W. Patton, Ecuyer, entrés à la Douane de Québec . .	8,900	0	0
---	-------	---	---

##### De plus: 15 charges de navires de

madriers manufacturés (sic) dans les comtés de Rimouski, Saguenay et l'Islet qui n'ont pu être expor- tés faute de vaisseaux pendant la saison .	10,000	0	0
---	--------	---	---

##### Total du produit expédié à l'étranger

au dessous de Québec . . . . .	£119,723	15	5
--------------------------------	----------	----	---

Il est bon de remarquer que la valeur des deux premiers items de Gaspé et de New-Carlisle, tirée du sein des eaux ne provient pas exclusivement de l'industrie des habitants des comtés de Gaspé et de Bonaventure; mais

bien aussi des sueurs et du travail d'un nombre infini de jeunes gens vigoureux qui émigrent, des comtés de Rimouski, Kamouraska, Saguenay, l'Islet et Bellechasse, tous les ans, pour l'objet de la pêche et qui s'en retournent après la saison reprendre leurs occupations agricoles. Maintenant d'après le tableau des exportations que m'a procuré M. le collecteur des douanes au port de Québec, il paraît qu'il a été expédié à l'étranger par la voie du St.-Laurent, pendant la saison 1844 pour la valeur, argent sterling, de £1,278,952 2 0. Laquelle somme répartie sur le chiffre total de la population de 1,184,645 d'habitants donne £1 1 7 par tête; or la population de la partie inférieure de la province étant de 108,000 habitants doit fournir £116,268 7 5 pour son contingent; mais comme je prouve qu'elle a exporté pour £119,723 15 5, il est donc clair qu'il y a un excédant (sic) en sa faveur de £3,455 8 0.

Ainsi la partie inférieure de la province avec deux branches d'industrie seulement, le bois et la pêche, a fourni cette année plus que son contingent à l'exportation par la voie du fleuve St. Laurent; mais ces produits exportés au montant de £119,723 15s. 5d. ne sont pas toutes les ressources de cette partie de la province: car je n'y ai pas fait entrer pour un sou du produit de la pêche de Labrador qui est très considérable, non plus que ce celui des Isles de la Magdeleine; et pour faire voir que ces produits sont d'une plus grande importance qu'on ne le pense généralement, je prendrai la liberté d'offrir ici un tableau de la pêche de ces Isles pour la saison 1844:

Il a été pris 30,200 loups marins à . . . . .	15s.	£22,650	0	0
1500 quintaux morue sèche . . . . .	12s. 6d.	937	10	0
5500 gals. d'huile de morue . . . . .	1s. 3d.	343	15	0
10,000 quarts de hareng . . . . .	10s.	5,000	0	0
500 " macreau (sic) . . . . .	15s.	375	0	0
		<u>£29,306</u>	<u>5</u>	<u>0</u>

Je n'ai cependant pas encore dit un mot de l'agriculture de la partie inférieure du district de Québec. Sur le total exporté du port de Québec, je ne tiens aucun compte des produits agricoles de nos campagnes qui forme un item assez considérable des objets exportés; et on se rappellera que sur les 12 à 13 cents vaisseaux qui fréquentent le port de Québec, un bon tiers de l'approvisionnement qui leur est nécessaire est encore le produit de l'agriculture au-dessous de Québec. Mais à tous ces calculs je m'attends à recevoir une objection que le parti opposé de la chambre considérera sans doute sans réplique: que le Haut-Canada fait usage de beaucoup plus de marchandises sur lesquelles il y a des droits que le Bas-Canada, que contribuant ainsi beaucoup plus au revenu, il a droit à une plus forte part des argents publics. Mais où est la preuve de cet avancé; et s'il en est ainsi avec quoi le Haut-Canada paye-t-il ces marchandises? Car je suis prêt à prouver, le recensement à la main, que le Bas-Canada, sous le rapport de l'agriculture, produit son contingent en égard à sa population; et qu'il a en sus des avantages que possède le Haut-Canada, la pêche, cette source inépuisable de richesse.

Maintenant on se ressouviendra peut-être que lorsque je fis motion en chambre, vers le commencement de la session pour obtenir des informations au sujet de la coupe des bois sur les terres incultes de la couronne, afin de pouvoir mettre devant cette chambre le tableau que je viens d'exposer, je saisis alors l'occasion de dire que la partie inférieure de la province avait été entièrement oubliée, honteusement négligée. Aujourd'hui je prouve que d'après les sommes votées en 1841 pour améliorations publiques cette partie de la province n'a reçu que la proportion d'un à quinze relativement au Haut-Canada, sans parler de la dette de cette province, qui fait plus que doubler cette proportion et qui la met comme un est à trente-cinq. De plus n'est-il pas également prouvé que si les sommes proposées dans l'estimé sont votées, la même injustice sera de nouveau répétée en 1845.

Je dis aussi alors que je ferais également voir que la partie inférieure de la province contribuait au moins son contingent à la prospérité du pays; et je prouve de la manière la plus incontestable qu'elle fournit plus, et cela avec deux branches d'industrie seulement, le bois et la pêche. J'ajoutai aussi alors qu'en sus des avantages que cette partie de la province possédait avec le reste du pays, elle en avait en outre qui lui étaient propres et particuliers. Et, qui pourrait révoquer en doute les richesses qui sont au fond des mers qui baignent nos côtes? Qui pourrait nier l'existence des puissants engins de nos rivières qui ont leurs sources dans nos montagnes et qui seront par la suite d'un si grand avantage aux manufacturiers? N'avons-nous pas aussi comme les autres parties du pays nos forêts qui pendant bien long-temps offriront de très grandes ressources; et après la dépouille de nos bois, le Saguenay et la vallée du Lac St. Jean, avec un peu d'encouragement, ne seront-ils pas pour nos neveux la terre promise?

Cependant ceux qui sont pour veiller sur nos destinées semblent ignorer toutes ces choses. Je pense qu'il est grandement temps que l'administration du jour y réfléchisse et s'en occupe; et j'en dirai autant à toutes celles qui devront la suivre, soit qu'elles se composent de torles, libéraux ou de l'amalgame indéfinissable de celle que nous avons dans le moment actuel. Les habitants de la partie inférieure de la province sont las d'attendre, et se réuniront bientôt comme un seul homme pour réclamer constitutionnellement leurs droits méconnus; et s'il le faut leurs mandataires (sic), au nombre de huit (il est important de ne pas perdre de vue cette circonstance) pourront par la suite, à l'exemple de certaines sections du pays, se lier ensemble pour ne supporter qu'une administration disposée à leur rendre justice; et l'expérience de cette session a démontré qu'il ne fallait pas toujours une majorité de huit voix pour soutenir une administration. Enfin avant de m'asseoir je répète que je voterai contre toute allocation pour améliorations publiques dans le Haut-Canada jusqu'à ce que l'on ait rendu justice à la partie inférieure de la province.<sup>61</sup>

The Committee concluded the whole of the items of the estimate<sup>62</sup>



(387)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Roblin reported that the Committee had come to several resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

(388)

Ordered, That the Report be received to-morrow.

Ordered, That the Committee have leave to sit again to-morrow.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

Suits in Courts  
of Chancery.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 12th December, 1844, praying for a Statement of the number of suits brought in the Court of Chancery, since the 19th July, 1841, showing the number of suits actually adjudicated upon, the amount of costs taxed, and allowed on each suit, and the amount of fees paid on each suit to the Register; together with a detailed Statement, exhibiting the aggregate sums received by that officer, by way of fees and charges on the said suits.

(For the said Return, see Appendix I. I. I.)

Also,

Welland Canal.

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, bearing date the 18th ultimo, praying for a Return of the Amounts which have already been expended for completing the Welland Canal, from Thorold, and Lock No. 18, respectively, to Port Dalhousie; the amount to be expended at Port Dalhousie, for deepening the entrance, constructing piers, protecting works; the annual cost of keeping the entrance clear of sand; the depth of water there will be on the bar, when the contemplated works are completed; and a statement of all necessary expenditures connected with the said Harbour at Port Dalhousie; with such observations on the shallowing of the water on the Lake, as may have been made by the Officers of the Board; and also, whether a certain survey, or pretended survey, made by the subordinate Officers of the Board, during the polling days of the late election of the town of Niagara, from Thorold to the said town, was made under the authority of the Board of Works; if so, the information derived by such survey, and the intention of the Board in making the same.



(For the said Return, see Appendix J. J. J.)

And also,

W. M. Kelly.

Return to an Address from the Legislative Assembly, to His Excellency, the Governor General, bearing date the 14th instant, praying for all the Reports or Letters made or written by the late Commissioner of the Revenue, on the case and conduct of William Moore Kelly, late Collector of Customs; together with any statements, evidence, or facts, set forth by the said Mr. Kelly; and any replications, reports, or evidence, by the Commissioner; and any reports made by the late Inspector General, the Deputy Inspector General, or the Executive Council, up to this date, upon this case.

(For the said Return, see Appendix K. K. K.)

Orders of  
the Day.

Mr. Powell moved, seconded by Mr. Armstrong, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued.

YEAS.....24.

NAYS.....21.

So it was carried in the affirmative, and

Ordered, accordingly.

Then, on motion of the Honourable Mr. LaFontaine,

The House adjourned.

FOOTNOTES - 24 MARCH 1845.

1. The debate on this matter was reported by: LE CANADIEN, 31 March 1845; GLOBE, 25 March 1845, and BRITISH WHIG, 28 March 1845, which contained some speeches which were identical and some which were completely dissimilar; PILOT, 27 March 1845; LA MINERVE, 27 March 1845, whose account was copied by LE CANADIEN, 31 March 1845, and translated by PILOT, 3 April 1845; PILOT, 25 March 1845, whose account was copied by BROCKVILLE RECORDER, 27 March 1845; and MONTREAL GAZETTE, 25 March 1845, copied in parts by BRITISH WHIG, 28 March 1845, ST. CATHERINES JOURNAL, 3 April 1845, KINGSTON NEWS, 27 March, 3 April 1845, and EXAMINER, 9 April 1845, in accounts identical in most respects except that the GAZETTE's report contains more speakers than ST. CATHERINES JOURNAL, KINGSTON NEWS, and EXAMINER, and some of the GAZETTE's speeches are given in more detail than those in ST. CATHERINES JOURNAL, KINGSTON NEWS, and EXAMINER. When selections are chosen from the identical accounts in MONTREAL GAZETTE, BRITISH WHIG, ST. CATHERINES JOURNAL, KINGSTON NEWS, and EXAMINER, the EXAMINER is reproduced wherever possible because the MONTREAL GAZETTE is quite difficult to read. Commentaries were contained in L'AUREOLE, 29, 31 March 1845, and LA MINERVE, 27 March 1845. The GLOBE, 25 March 1845, was in very poor shape for most of this debate and selections are therefore reproduced from BRITISH WHIG, 28 March 1845, wherever possible.
2. EXAMINER, 9 April 1845.
3. IBID.
4. IBID.
5. IBID.
6. LE CANADIEN, 31 March 1845.
7. IBID.
8. EXAMINER, 9 April 1845.
9. IBID.
10. MONTREAL GAZETTE, 25 March 1845.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. EXAMINER, 9 April 1845.
21. MONTREAL GAZETTE, 25 March 1845.
22. IBID.
23. IBID.
24. PILOT, 27 March 1845.
25. MONTREAL GAZETTE, 25 March 1845.
26. IBID.
27. BRITISH WHIG, 28 March 1845.

28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. PILOT, 27 March 1845.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. GLOBE, 25 March 1845.
56. MONTREAL GAZETTE, 25 March 1845.
57. PILOT, 27 March 1845.
58. IBID.
59. IBID.
60. IBID.
61. LA MINERVE, 27 March 1845, whose account was copied by LE CANADIEN, 31 March 1845, and translated by PILOT, 3 April 1845.
62. MONTREAL GAZETTE, 25 March 1845.

TUESDAY, 25 MARCH 1845.

(388)

Petitions  
brought up.

THE following Petitions were severally brought up and laid on the table:--

By Mr. Colville, the Petition of John Scriver and others, settlers on the Clergy Reserves, in the township of Hemmingford, in the county of Beauharnois.

By Mr. Lantier, the Petition of George R. S. DeBeaujeu, of Coteau du Lac, Esquire, (relating to the subject of a former Petition.)

Consolidated  
Revenue Fund.

Mr. Christie, from the Select Committee, to which was referred the Bill to authorize the charge of a certain sum of money therein mentioned, advanced from the Treasury of the Province, by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying during a period therein specified, certain necessary and indispensable expenses of the Civil Government of the Province, and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity to all concerned; reported that the Committee had gone through the said Bill, without making any amendment thereto; and the report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

On motion of Mr. Cameron, seconded by Mr. Price,

Sales of Crown  
Lands by  
District Agents.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, the Accounts of any of the district agents, for the sale of Crown Lands in any of the districts of this Province who may be in default; and also the authority upon which such agents have been authorized to collect the debts due for sales of Clergy Reserves made before 1840.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Stewart, of Bytown, seconded by Mr. Dickson,

Culling and  
Measurement  
of Timber.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other



articles of a like nature, and to repeal a certain Act therein mentioned," be now read.

The said amendments were read, and are as followeth:--

Press 2, Line 15.--After "supervisor," insert "and any deputy so appointed shall, himself, with two responsible sureties, enter into bonds to Her Majesty, Her Heirs and Successors, in the penal sum of                      pounds each, for the faithful discharge of his duty, (which bonds shall enure to the benefit of all parties who may be damnified by misfeasance, malfeasance, or non-feasance of the said deputy,) and all parties damnified shall be entitled to recover from the said deputy and his sureties, before any Court of competent jurisdiction upon such bond, by suit or action, to

(389)

the amount to which he may have been so damnified."

" 11, " 13.--After "inches" insert "square."

" 11, " 34.--Leave out "40," and insert "20."

" 16, " 36.--After "Supervisor" insert "or his Deputy."

" 17, " 16.--After "Supervisor" insert "or his Deputy."

" 20, " 35.--After "measured" insert "within the ports of Montreal and Quebec."

Ordered, That the said amendments be now committed to a Committee of the whole House.

The House then resolved itself into the said Committee.

Mr. Christie took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Christie reported that the Committee had passed the said amendments, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That the blank in the first amendment be filled with the words "Two hundred pounds."

Ordered, That the said amendment be engrossed.

*On motion of Mr. Boulton, seconded by Mr. Duggan,*

*University of  
King's College.*

*Resolved, That an humble Address be presented to His Excellency, the Governor General, requesting him to lay before this House, all Despatches and answers to Despatches, or other communications between the Government of this Province, and of the Province of Upper Canada, and the Imperial authorities, on the subject of the University of King's College, or of any proposed modification or alteration of the terms of its original or amended Charter; especially one from the Secretary of State for the Colonies, to Sir George Arthur, in answer to an application from Queen's College, to have a share of the endowments, or in some way to have appropriated to it, a portion of the funds belonging to King's College.<sup>1</sup>*

The hon. gentleman ((MR. BOULTON)) stated, that although two despatches had been produced, and the whole of the argument in favour of the University Bill had been predicated on those, yet he had reason to believe that there were others in the possession of the Government of an entirely different character, particularly one upon the application of Queen's College for a portion of the endowment of King's College, in which the Colonial Secretary had stated that such an application could not be entertained.<sup>2</sup>

MR. ATTORNEY GENERAL DRAPER said that the despatches communicated were not in consequence of an address, but voluntarily sent down by the Governor General for the information of the House. The address which was sent up was for correspondence between the present Governor General and the Home Government, and no answer could be given thereto, because there were no despatches. No doubt there were other despatches, and all of a public nature would be communicated to the House, but there were others of a private character which could not be made known.<sup>3</sup>

MR. BALDWIN agreed with the hon. gentleman; but he trusted that the Administration would take care to guard against that back stairs influence, which kept important despatches from the sworn advisers of the crown, until they leaked out in the newspapers, as had been the case.<sup>4</sup>

MR. AYLWIN said, he could corroborate that fact. While he was a member of the Administration, he had seen in the Montreal Gazette, a despatch concerning the Post Office, which he did not see in writing until three months afterwards.<sup>5</sup>

(389)

*Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honour-*

*able the Executive Council of this Province.*<sup>6</sup>

MR. BALDWIN said, that he had understood a fuller explanation of the causes which led to the resignation of the late Inspector-General would have been afforded to the House than had yet been given. He hoped that hon. gentleman would feel that it was due to himself and to all concerned, that everything connected with the step he had taken should be laid before the House.<sup>7</sup>

MR. ROBINSON felt that the course he had taken had laid him open to charges of inconsistency; and he would therefore state to the House the circumstances which had occurred previous to his appointment, and those which had led to his resignation.<sup>8</sup> He had been sent for by the Governor<sup>9</sup> at the commencement of the session<sup>10</sup> without any solicitation on his part, and had been offered the office which he had lately held<sup>11</sup>. He (Mr. R.) had stated ... that he would require some days to consider the proposal, so that he might have time to consult the other members of the Administration as to the measures which they intended to bring before Parliament. His Excellency concurred in the propriety of that course.<sup>12</sup> He had been referred by His Excellency to two prominent individuals<sup>13</sup>. On consultation with these gentlemen on the measures of the Government he<sup>14</sup> had found that their views met on almost all points, except perhaps a few details, such as related to the excise on distilleries and similar matters admitting of modification.<sup>15</sup>

Then they came to the University Bill<sup>16</sup>, to the bill of the session<sup>17</sup>, and upon that subject he had urged Mr. Draper to give him a full explanation.<sup>18</sup> Mr. Draper produced the skeleton of a bill, not his own, and there was no use in saying whose it was.<sup>19</sup> That gentleman mentioned to him the heads of the bill, which he at that time proposed to submit to Parliament, and which he gave him (Mr. Robinson) to understand was not to be considered as a government measure. That gentleman had further said, that it would be part of his duty to submit the bill to the authorities of King's College, and that he should withdraw it unless it met with their approval.<sup>20</sup>

Hear, hear, from MR. AYLWIN.<sup>21</sup>

He ((MR. ROBINSON)) hoped the hon. gentleman opposite would allow him to proceed without interruption. That measure was never brought before the House or the country, because it was found that it could not have the support of the hon. member for Toronto, and that it would give no satisfaction to any party in the province. For weeks after that no other bill had been brought under his notice, and he had no idea that any

measure was contemplated like the one which he had since found it necessary to oppose; and indeed he believed that it was not until a very short time previous to the hon. Attorney General going to London for his election, that the skeleton of that bill was framed.<sup>22</sup> It was altogether dissimilar from the one afterwards submitted. The bill now before the country was never submitted to him nor anything like it.... Under these circumstances he ((had)) felt no difficulty in accepting office. The heads of the bill shewn to him were submitted to King's College; did not meet their approbation, and the plan was abandoned. A few days before Mr. Draper's departure for London, U. C., the heads of the present bill were submitted, and Mr. Draper was to see the Bishop of Toronto regarding it. On his return from his election it appeared that he had not seen the Bishop on the subject. The bill was then submitted to the Cabinet and agreed on, but as he (Mr. Robinson) found himself unable to support it he had required its postponement, and tendered his resignation unless that proposition were agreed to.<sup>23</sup> He now, however, found himself placed in an extraordinary position before the country, for he was accused in the public prints of having taken office without understanding the policy which he would be bound to pursue as a minister of the Crown; and the preceding evening he had found upon the desk of his hon. friend from Cornwall, a copy of the Pilot, of which he understood that gentleman had had 600 printed, in which he was much surprised to see the following remarks upon himself: - "Mr. Robinson's position is a most extraordinary one. How the hon. member came to take office after the declaration in the opening speech on the subject of the University, and to go to his constituents, with that declaration virtually in his mouth, we are at a loss to understand. The Colonist certainly urged his connection with the liberal ministry as a reason for the obtaining support in Simcoe. He says that he did not understand that the question was to be a cabinet one. He certainly ought to have had a proper understanding on the subject before taking office. However it appears that he was solely influenced by a desire to assist Lord Metcalfe out of his difficulties, and as several others had refused the office he felt bound to help his Excellency." Now, it was not pleasant to be spoken of in that manner, after he had taken every step which a prudent man could have taken to understand what was coming before the country. He might perhaps have got out of the difficulty by saying that this ought not to be considered a government measure at all; but when he knew that the whole country looked upon it in that light, he had made up his mind to receive it as such, and to stand or fall by it. He well knew what the hon. member for Quebec would have said, had he taken any other course, he knew that the cry would have been "oh, that's your view of Responsible Government, is it? You bring in measures, and then attempt to escape from the responsibility which attaches to them." He could only say, that so far as he was concerned, he had determined to vote upon this question as he pleased, and as soon as he found that he could not give his support to the plan of his colleagues - so soon he had tendered his resignation; and he had done so at once, to put his Excellency and his colleagues in possession of his views (not knowing how



soon the measure might come up), in order that all parties should be prepared for his opposition in case the bill were pressed through the present session. The hon. gentleman then called the attention of the House to the terms of the note in which he had conveyed his resignation:

Inspector General's Office,  
Montreal, 11th March, 1845.

My Lord, - As it seems to be desired by your Lordship's government that the proposed bill for amending the charter of King's College in Upper Canada should be passed without delay, I am constrained to inform your Lordship that in consequence of time having been requested by a large number of petitioners deeply interested in the measure, for the country to consider the provisions of the bill, and express their views upon it, I feel that if it is to be pressed further at this late period of the session, I must vote against it. This determination on my part, I can assure your Lordship, is not made with any view to embarrass the government or to prevent a satisfactory arrangement of the University question; but from a sincere desire that in a matter of so much importance to the country due consideration may be given to it, and no measure adopted which is not likely to give general satisfaction.

Under these circumstances, and feeling compelled for the reasons given, to differ from the other members of your Lordship's administration, I respectfully beg leave to place at your Lordship's disposal the office which I have the honor to hold.

I have the honor to be,  
Your Lordship's humble servant,  
W. B. ROBINSON.

He had come to that determination, without any desire to embarrass the Government, still less with any wish to have the question shirked, but he had done so, because he hoped to gain time for the country to consider it. However, it would appear, from his resignation having been accepted that the administration were determined to persevere in the attempt to carry the bill through. He desired nothing more than that the country should judge as to the position in which he and his colleagues respectively stood, and as to the right which he and his constituents would have to feel disappointed at his being compelled to withdraw from a ministry which he had so recently joined. He said his constituents would be disappointed, because they had been put to great inconvenience in having to re-elect him, but they had borne it with pleasure, in the hope, that he would be a support to the Government. At his election, however, he had stated his views candidly and openly to his friends, and when he had been appealed to by Mr. Dallas on the subject of his opposition to Responsible Government and the apparent inconsistency of his accepting office under that system, he had replied, that if he went into office, it would be upon the pure principles of Responsible Government, and, that if there were any question upon which he might differ from his

colleagues, he should feel bound to resign. He trusted that now his constituency would not be disposed to censure him, when the facts were all known, - he trusted that what he had stated would be satisfactory, and as he remembered with pleasure that he had been greeted with loud cheers from one side of the House, and certainly with anything but sneers from the other, when he had entered through the doors - so having acted as he had done, he should go out of them with the same satisfaction. (Cheers.) He did not blame any one, it was his own course which he had taken and he would take the same again in similar circumstances. He contended that he had acted rightly, and that he stood as he had pledged himself to stand.<sup>24</sup> The hon. member said it must appear strange that as my resignation was only conditional on the measure being pressed this session, it should be accepted under the circumstances. I do not complain of this, but I put it to the House whether, under the circumstances<sup>25</sup>, it might have perhaps been competent for His Excellency to have sent back his note, and to have informed him that the emergency contemplated when it was written had not yet arisen, and that therefore there was no need for him to accept his (Mr. Robinson's) resignation. The Governor General had, however, not taken that course. He (Mr. Robinson) might certainly have written again, to have withdrawn his resignation, on the ground that the bill was not pressed through; but he did not choose to do so, he preferred to stand or fall by the declaration which he had made, as he took it for granted the hon. Attorney General also would act in accordance with the avowal which he had made to stand or fall by the bill; perhaps he himself had fallen before his time. He might have crept out of the difficulty, and have retained his place by a mental reservation, when he voted for the second reading of the bill; but he had never yet voted for a measure in that way. If he liked a bill he voted for it; and if he did not, he voted against it honestly and fairly; but at the same time, he had not wished to take any one else with him, in opposition to the administration; he was one vote against them, but he had not desired to influence one other. He could only say, that if Responsible Government which he had for a long time opposed because he had thought it would not work well - he could only say, that if he thought there was anything in the nature of that mode of government which would deprive a man of his right to act conscientiously, he would not desire to be again in harness; because he was convinced, that, if that were the case, nothing could be expected but perjury and peculation in every branch of the Government. As he had before remarked, he had not been aware in the first instance that the University Bill was to be considered a Government measure; but when he heard that the Ministry were prepared to stand or fall by it, he willingly accepted that view, for he could readily make up his mind to retire from office. He had never been an idle man; and he could always do something to get an honest livelihood for himself and his family.<sup>26</sup> Mr. Speaker, though I am poor, I can afford to lose my office, but I cannot afford to lose my character.<sup>27</sup> Nor could he bear to be taunted with having taken office without proper consideration of the duties and difficulties which attended that step.<sup>28</sup> I desired, sir, to fulfil the pledge made to my constituents that accepting office under responsible government, I would carry it out fairly and honestly. The hon. member alluded to the Lower



Canada School and Municipal Bills which had not been made Cabinet measures. They ought to have been made so as well as the University bill. He was in favour of members of an administration voting on all measures according to their conviction, but he did not understand why the University bill should be put on a different footing from the others.<sup>29</sup>

MR. DRAPER would not be doing his duty to the House or the country, if he did not allude to the remarks which had been made by his hon. friend who had just sat down. He had to give his confirmation to a great deal which had been said; but he would also have to make a few observations upon some things which had fallen from that hon. gentleman. His hon. friend knew that the University question was the only one upon which there would be any difference between them, either as regarded the views of the country, or the arrangements of the Ministry among themselves. At the time when his hon. friend had been asked to accept office, and before he had accepted it, the University Bill had engaged his (Mr. Draper's) personal consideration - that was to say, his time had been taken up in communications, which, though they were of a private nature, yet they were intended to ascertain the opinions of his correspondents who represented different interests, with a view to the framing of a bill for the purpose of bringing the matter to a settlement. That correspondence led him to prepare the draft of a measure which was submitted to his hon. friend, and he had told that hon. gentleman what he had already stated - that the plan was not one to which the Government stood pledged, or which they had ultimately adopted, but it was one, which, if it met with the approbation of the parties concerned, would be submitted to Parliament. Difficulties were suggested by the authorities of the College of a character which appeared to be insuperable, and as his hon. friend had said, that plan was finally abandoned. He (Mr. Draper) then endeavoured - because it fell principally within his department to arrange some other Bill, and one was accordingly drawn out, which was some time in progress, while his friend was a member of the administration, and as soon, as it reached the shape in which it could be submitted to his colleagues (sic), it was submitted to his honorable friend. That gentleman had as early notice of it as any member of the Government, except himself, who was the party by whom it was thrown together. - That he believed was the usual course on such occasions; the case and skeleton of a Bill was settled by one or two members of the Cabinet, and then it was brought forward to be altered or modified by the rest, and it did not become a measure of the Administration until it was approved by all the gent'n who formed the Government. In that manner he had submitted the bill in question to his colleagues; and when the time came when it was necessary to decide whether it should or should not be adopted, and laid before the House and the country, he must do his honorable friend justice to say, that he did express a difficulty which he felt in bringing himself to the conclusion that this measure should be a Government one. He was not prepared to say whether he would give it his assent or at ... any future period, but he certainly (sic) would not do so during the present session. The sole object of his honourable friend was to make up his mind whether (sic) he would vote for it or not. If the thing had been left as an open question that course would have (sic) been a perfectly proper one,

bot (sic) that was not the way ... which he (Mr. Draper) would act as a member of the Government. He would prefer to go out of office, and to say ho (sic) and his friends could not go on as a ministry in consequence of want of agreement in their views rather than he would say, one differed on this question, and another on that, and therefore those things must be left as open questions. That was not the way in which he understood Responsible Government, or the mode in which Government could be carried on. If it was attempted the result would be a very weak Government indeed. If ministers could have consented to postpone the measure, his hon. friend would still have been unable to promis (sic) his supporte (sic) either to that bill, or to any other based upon the same principles. Having made those remarks he would pass to a much more pleasant and agreeable part of his duty. And in making the observation which he was about to lay before the House he did so, without any desire to praise, still less to flatter his honourable friend because there was no man he would be less inclined to insult by adulation. He would say however both for himself and his friends that they had every reason to be satisfied when the late Inspector General became their colleague and to regret that circumstances now under review or any others, should have rendered it necessary for him to retire from them. If his friend at that moment could enable him to see the slightest prospect of harmony between their views - if he could only say that his feelings with regard to the measure were such that standing as the matter now did he did not require time to make up his mind in its favour - then he (Mr. Draper) said they might still go on together. He did not blame his hon. friend for the course he had taken; but he said that the Government having determined to introduce the University Bill to the House as a Government measure - and having tested the sense of the House as to whether it would legislate on the principle which that bill contained - having done so he said that when his hon. friend found it necessary to tender his resignation the ministers felt unless they desired the hon. gentleman to suppose they had deceived him that they could do nothing else than recommend that his resignation should be accepted. He had said no more than justice to himself and to his friend required. There was no feeling among his colleagues except respect and admiration for his hon. friend; and he could truly say that however difference of opinion might have led to results which he deeply regretted he did not believe that it would make any difference in their feelings of friendship for one another.<sup>30</sup>

(389)

Lunatic  
Asylum.

Ordered, That two hundred and fifty copies of the  
Return to an Address from this House to His  
Excellency, the Governor General, of the 13th  
instant, on the subject of moneys paid into the hands of the Receiver  
General, by district Treasurers, for the support of a Lunatic Asylum in  
Upper Canada, be printed for the use of the Members of this House.



On motion of Mr. Dunlop, seconded by Mr. Johnston,

Duty on Tobacco imported into the United Kingdom.

Resolved, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency that this House hath voted an Address to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the

Imperial Parliament, a reduction of the duty on Tobacco, the produce of this Province, imported into the United Kingdom, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be presented to His Excellency, the Governor General, by the whole House.

Ordered, That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Addresses.

Supply.

Mr. Roblin, from the Committee of the whole House, to consider the Supply granted to Her Majesty, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and are as followeth:--

Militia Staff.

1. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Adjutant General of Militia of Lower Canada, for the year one thousand eight hundred and forty-five.

2. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and thirty-six pounds, seventeen shillings and sixpence, currency, be granted to Her Majesty, to defray the Salary of the first Clerk in the office of the Adjutant General of Militia of Lower Canada, for the year one thousand eight hundred and forty-five.

3. Resolved, That it is the opinion of this Committee, that a sum not exceeding ninety-one pounds, five shillings, currency, be granted to Her Majesty, to defray the Salary of the second Clerk in the office of the Adjutant General of Militia of Lower Canada, for the year one thousand eight hundred and forty-five.

4. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Provincial Aid-de-Camp, for the year one thousand eight hundred and forty-five.

5. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of Postages, Printing, Stationery, Messenger, &c., for the office of the Adjutant General of Militia of Lower Canada, for the year one thousand eight hundred and forty-five.

6. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and seventy pounds, currency, be granted to Her Majesty, to defray the Salary of one Clerk in the office of the Adjutant General of Militia of Upper Canada, for the year one thousand eight hundred and forty-five.

7. Resolved, That it is the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the office of the Adjutant General of Militia of Upper Canada, for the year one thousand eight hundred and forty-five.

(390)

Legislative Council.

8. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Legislative Council, for the year one thousand eight hundred and forty-five.

9. Resolved, That it is the opinion of this Committee, that a sum not exceeding seven hundred pounds, currency, be granted to Her Majesty, to defray the Salary of two Assistant Clerks of the Legislative Council, for the year one thousand eight hundred and forty-five.

10. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Committees, Law Clerk, and English Translator of the Legislative Council, for the year one thousand eight hundred and forty-five.

11. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and twenty-five pounds, currency, be granted to Her Majesty, to defray the Salary of the French Translator to the Legislative Council, for the year one thousand eight hundred and forty-five.

12. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty,

to defray the Salary of the Gentleman Usher of the Black Rod, for the year one thousand eight hundred and forty-five.

13. Resolved, That it is the opinion of the Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Sergeant-at-Arms to the Legislative Council, for the year one thousand eight hundred and forty-five.

14. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Chaplain and Librarian to the Legislative Council, for the year one thousand eight hundred and forty-five.

15. Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty pounds, currency, be granted to Her Majesty, to defray the Salary of the Doorkeeper to the Legislative Council, for the year one thousand eight hundred and forty-five.

16. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Head Messenger to the Legislative Council, for the year one thousand eight hundred and forty-five.

17. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and thirty-five pounds, currency, be granted to Her Majesty, to defray the Salary of Three Messengers to the Legislative Council, for the Session, at forty-five pounds each, for the year one thousand eight hundred and forty-five.

18. Resolved, That it is the opinion of this Committee, that a sum not exceeding six thousand six hundred and sixty-six pounds, thirteen shillings and fourpence, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Legislative Council, for the year one thousand eight hundred and forty-five.

Legislative  
Assembly.

19. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand and ninety-three pounds, three shillings, currency, be granted to Her Majesty, to defray the Salary of the Speaker of the Legislative Assembly, from the twenty-eighth November, one thousand eight hundred and forty-four, to the thirty-first December, one thousand eight hundred and forty-five, at the rate of one thousand pounds per annum.

20. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Legislative Assembly, for the year one thousand eight hundred and forty-five.



21. Resolved, That it is the opinion of this Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Assistant Clerk of the Legislative Assembly, for the year one thousand eight hundred and forty-five.

22. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the English Translator and Law Clerk of the Legislative Assembly, for the year one thousand eight hundred and forty-five.

23. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the French Translator of the Legislative Assembly, for the year one thousand eight hundred and forty-five.

24. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Sergeant-at-Arms to the Legislative Assembly, for the year one thousand eight hundred and forty-five.

25. Resolved, That it is the opinion of the Committee, that a sum not exceeding one hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Crown in Chancery, for the year one thousand eight hundred and forty-five.

26. Resolved, That it is the opinion of this Committee, that a sum not exceeding nineteen thousand four hundred pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Legislative Assembly, including Sessional allowance to Members, for the year one thousand eight hundred and forty-five.

#### Pensions.

27. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and ninety-three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of William Smith, as late Clerk of the Legislative Council of Lower Canada, and Master in Chancery, for the year one thousand eight hundred and forty-five.

28. Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty-six pounds, thirteen shillings and fourpence, currency, be granted to Her Majesty, to defray the Pension of William Ginger, as late Sergeant-at-Arms to the Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-five.



(391)

29. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to defray the Pension of Louis Noreau, as Messenger to the late Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-five.

30. Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty-six pounds, thirteen shillings and four pence, currency, be granted to Her Majesty, to defray the Pension of L. B. Pinquet, as Clerk of Committees to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-five.

31. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Pension of Samuel Waller, as Clerk of Committees to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-five.

32. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and thirty-three pounds, six shillings and eight pence, currency, be granted to Her Majesty, to defray the Pension of David Jardine, as a Writing Clerk to the late House of Assembly of Upper Canada, for the year one thousand eight hundred and forty-five.

33. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and thirty-three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of William Coates, as a Writing Clerk to the late House of Assembly of Upper Canada, for the year one thousand eight hundred and forty-five.

34. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and thirty-three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of Jasper Brewer, as late Librarian to the House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-five.

35. Resolved, That it is the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the Pension of François Rodrigue, as Messenger to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-five.

36. Resolved, That it is the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the Pension of Louis Gagné, as Messenger to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-five.

37. Resolved, That it is the opinion of this Committee, that a sum not exceeding seventy-six pounds, ten shillings, currency, be granted to Her Majesty, to defray the Pension of Pierre Lacroix, as Messenger to the late Legislative Council of Lower Canada, from the first October, one thousand eight hundred and forty-one, to the 31st December, one thousand eight hundred and forty-five, at the rate of eighteen pounds per annum.

38. Resolved, That it is the opinion of this Committee, that a sum not exceeding seventy-six pounds, ten shillings, currency, be granted to Her Majesty, to defray the Pension of Joseph Bolduc, as Messenger to the late Legislative Council of Lower Canada, from the first October one thousand eight hundred and forty-one, to the thirty-first December, one thousand eight hundred and forty-five, at the rate of eighteen pounds per annum.

Royal Institu-  
tion for the  
Advancement of  
Learning.

39. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Secretary of the Royal Institution for the Advancement of Learning, for the year one thousand eight hundred and forty-five.

40. Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty-seven pounds, fifteen shillings and sevenpence, currency, be granted to Her Majesty, to defray the allowance to the Secretary of the Royal Institution for the Advancement of Learning, for a Clerk, Messenger, and Contingencies, for the year one thousand eight hundred and forty-five.

Grammar  
School  
Montreal.

41. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and eighty-two pounds, four shillings and sixpence, currency, be granted to Her Majesty, to defray the Salary and allowance for House Rent to the Master of the Grammar School at Montreal, for the year one thousand eight hundred and forty-five.

National  
School,  
Quebec.

42. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and ninety-four pounds, eight shillings and elevenpence, currency, be granted to Her Majesty, as an aid towards the support of the National School at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

National  
School,  
Montreal.

43. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and twenty-two pounds, four shillings and sixpence, currency, be granted to Her Majesty, as an aid towards the support of the National School at Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Society of  
Education,  
Quebec.

44. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred and sixty pounds, currency, be granted to Her Majesty, as an aid to the Society of Education at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Society of  
Education,  
Three Rivers.

45. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Education Society of Three Rivers, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

British and  
Canadian  
School,  
Quebec.

46. Resolved, That it is the opinion of this Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, as an aid to the British and Canadian School at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

(392)

British and  
Canadian  
School,  
Montreal.

47. Resolved, That it is the opinion of the Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, as an aid to the British and Canadian School at Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

St. Andrew's  
School,  
Quebec.

48. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the St. Andrews School at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

St. Jacques'  
School,  
Montreal.

49. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, as an aid to the St. Jacques School at Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.



Recollet  
School  
Montreal.

50. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and twenty pounds, currency, be granted to Her Majesty, as an aid to the Montreal Recollet School, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Presbyterian  
Free School,  
Montreal.

51. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Montreal American Presbyterian Free School, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

College of  
St. Anne de  
la Pocatière.

52. Resolved, That it is the opinion of this Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, as an aid to the College of St. Anne de la Pocatière, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

College,  
St. Hyacinthe.

53. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, as an aid to the College of St. Hyacinthe, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

College,  
Chambly.

54. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, as an aid to the College at Chambly, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

College,  
L'Assomption.

55. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the College of L'Assomption, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Academy,  
Berthier.

56. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Teacher of the Academy at Berthier, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.



Academy,  
Charlestown.

57. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Academy at Charlestown, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Seminary,  
Stanstead.

58. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Stanstead Seminary, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Shefford  
Academy.

59. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Shefford Academy, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Sherbrooke  
Academy.

60. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and ninety-four pounds, eight shillings and tenpence, currency, be granted to Her Majesty, as an aid to the Sherbrooke Academy, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

School,  
Waterloo.

61. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Reverend Andrew Balfour's School, at Waterloo, in Shefford, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

School, Three  
Rivers.

62. Resolved, That it is the opinion of this Committee, that a sum not exceeding ninety pounds, currency, be granted to Her Majesty, as an aid to the Master of the School under the Royal Institution at Three Rivers, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

British North  
American School  
Society, Sher-  
brooke.

63. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an aid to the British North American School Society, at Sherbrooke, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Upper Canada  
College.

64. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand two hundred and twenty-two pounds, four shillings and fourpence, currency, be granted to Her Majesty, as an aid to Upper Canada College, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Victoria  
College.

65. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, as an aid to the Victoria College, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

High School,  
Dunham.

66. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the High School, in Dunham village, Missisquoi, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Infant School,  
Quebec.

67. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred

(393)

and eleven pounds, two shillings and twopence, currency, be granted to Her Majesty, as an aid to the Infant School at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

McGill College.

68. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, as an aid to the Medical Faculty of McGill College, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Assistant  
Superintendents  
of Education.

69. Resolved, That it is the opinion of this Committee, that a sum not exceeding seven hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the Assistant Superintendents of Education, for the year one thousand eight hundred and forty-five.

70. Resolved, That it is the opinion of the Committee, that a sum not exceeding five hundred and sixty pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Assistant Superintendents of Education, for the year one thousand eight hundred and forty-five.

Historical  
Society,  
Quebec.

71. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an aid to the Literary and Historical Society at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

72. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, as an aid to the Literary and Historical Society at Quebec, to enable them to procure old historical documents from Europe.

Natural History  
Society, Montreal.

73. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an aid to the Natural History Society of Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Mechanics'  
Institute,  
Quebec.

74. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an aid to the Mechanics' Institute at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Mechanics'  
Institute,  
Montreal.

75. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an aid to the Mechanics' Institute, at Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Provincial  
Penitentiary.

76. Resolved, That it is the opinion of this Committee, that a sum not exceeding twelve thousand seven hundred pounds, currency, be granted to Her Majesty, as an aid for the support of the Provincial Penitentiary at Kingston, for the year one thousand eight hundred and forty-five.

Foundlings &c.  
District of  
Quebec.

77. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand nine hundred and fifty pounds, currency, be granted to Her Majesty, for the relief of Insane persons,--foundlings, and indigent sick persons, in the district of Quebec, for the year one thousand eight hundred and forty-five.



Foundlings &c.  
District of  
Montreal.

78. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand nine hundred and twenty pounds, currency, be granted to Her Majesty, for the relief of Insane persons, in the district of Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Insane Persons.

79. Resolved, That it is the opinion of this Committee, that a sum not exceeding eight hundred and sixty pounds, currency, be granted to Her Majesty, for the relief of Foundlings and Insane persons in the district of Three Rivers, including the sum of one hundred pounds for Insane persons from the district of St. Francis, for the year one thousand eight hundred and forty-five.

Montreal  
General  
Hospital.

80. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand seven hundred and fifty pounds, currency, be granted to Her Majesty, for the Corporation of the General Hospital of Montreal, towards their expenses for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Widows,  
Orphans, &c.

81. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and seventy-five pounds, currency, be granted to Her Majesty, for the Protestant Female Orphan Asylum at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

82. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, for the Ladies Benevolent Society at Montreal, for Widows and Orphans, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

83. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, for the Roman Catholic Orphan Asylum at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

84. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, for the Montreal Orphan Protestant Asylum, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.



85. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and seventy-five pounds, currency, be granted to Her Majesty, for the Male Orphan Asylum at Quebec, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

86. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, for the Roman Catholic Orphan Asylum at Montreal, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Lunatic  
Asylum.

87. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand

(394)

pounds, currency, be granted to Her Majesty, towards the support of the Temporary Lunatic Asylum at Montreal, for the year one thousand eight hundred and forty-five.

88. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand two hundred and fifty pounds, currency, be granted to Her Majesty, towards the support of the Temporary Lunatic Asylum of Toronto, for the year one thousand eight hundred and forty-five.

Toronto  
General  
Hospital.

89. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, towards the support of the Toronto General

Hospital, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

House of  
Industry  
Toronto.

90. Resolved, That it is the opinion of this Committee, that a sum not exceeding seven hundred pounds, currency, be granted to Her Majesty, for the Toronto House of Industry, for the years

one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Indigent Sick,  
Kingston.

91. Resolved, That it is the opinion of this Committee, that a sum not exceeding seven hundred pounds, currency, be granted to Her Majesty,

as an aid for the relief of the Indigent Sick, at Kingston, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Translators  
of Laws.

92. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and sixty pounds, five shillings and sixpence, currency, be granted to Her Majesty, to defray the Salary of the French Translator of the Laws, from the seventeenth December, one thousand eight hundred and forty-four, to the thirty-first December, one thousand eight hundred and forty-five, at the rate of two hundred and fifty pounds, per annum.

Inspector of  
Chimneys,  
Three Rivers.

93. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty-seven pounds, fifteen shillings and sixpence, currency, be granted to Her Majesty, to defray the Salary of the Inspector of Chimneys, at Three Rivers, for the year one thousand eight hundred and forty-five.

Depots of  
Provisions.

94. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and fifty pounds, currency, be granted to Her Majesty, to defray the allowance of three Keepers of Depots of Provisions on the St. Lawrence, with a view to the relief of shipwrecked persons, for the year one thousand eight hundred and forty-five.

Kempt  
Road.

95. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty-five pounds, currency, be granted to Her Majesty, to defray the allowance to Pierre Brochu, for residing on the Kempt road, with a view to assisting travellers on the road, for the year one thousand eight hundred and forty-five.

Quarantine  
Establishment.

96. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand eight hundred pounds, currency, be granted to Her Majesty, to defray the expenses of Quarantine Establishments at Quebec and Grosse Isle, for the year one thousand eight hundred and forty-five.

Printing  
of Laws.

97. Resolved, That it is the opinion of this Committee, that a sum not exceeding four thousand five hundred pounds, currency, be granted to Her Majesty, to defray the Printing of the Laws, and other Printing for the Public Service, for the year one thousand eight hundred and forty-five.

Distributing  
Laws.

98. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, to defray the expense of Distributing the Laws, for the year one thousand eight hundred and forty-five.

Revised Statutes. 99. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand four hundred pounds currency, be granted to Her Majesty, to defray the expenses for Printing the Revised Statutes of Lower Canada.

Public Buildings. 100. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, for the ordinary repairs, alterations, and care of Public Buildings, for the year one thousand eight hundred and forty-five.

Unforeseen Expenses. 101. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for Unforeseen Expenses in the various branches of the Public Service, for the year one thousand eight hundred and forty-five.

Enregistering Public Documents. 102. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and fifty pounds, currency, be granted to Her Majesty, to defray the expense of Enregistering such Public Documents as may require enregistration, for the year one thousand eight hundred and forty-five.

Clerk of the Crown in Chancery. 103. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and ninety-seven pounds, eighteen shillings and elevenpence, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Clerk of the Crown in Chancery, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Assessments, Quebec and Montreal. 104. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand nine hundred and eighty-seven pounds, eight shillings and threepence, currency, be granted to Her Majesty, to defray the Assessments on Public Buildings, and Lots within the cities of Quebec, and Montreal, imposed by the Corporation of these cities, instead of the rates established by the Provincial Act 36 George III, chapter 9, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Feudal Tenure Commission. 105. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand five hundred pounds, currency, be granted to Her Majesty, to defray the expenses of the Feudal Tenure Commission.



Interpreters  
of Courts.

106. Resolved, That it is the opinion of this Committee, that a sum not exceeding seventy pounds, currency, be granted to Her Majesty, to defray the additional Salary to the Interpreters of the Courts of Quebec and Montreal, for the year one thousand eight hundred and forty-five.

Light Houses.

107. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand two hundred pounds, currency, be granted to Her Majesty, as the propor-

(395)

tion of expenses of keeping Light Houses on the Isles of St. Paul and Scattarie, on the part of this Province, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Normal School.

108. Resolved, That it is the opinion of this Committee, that a sum not exceeding nine pounds, eight shillings and eightpence, currency, be granted to Her Majesty, to pay a balance of Rent of Apartment for holding the Effects belonging to the late Normal School Establishment at Montreal, until transferred to the charge of the College of St. Hyacinthe.

Inland Navigation,  
Newcastle  
District.

109. Resolved, That it is the opinion of this Committee, that a sum not exceeding three thousand four hundred and forty pounds, currency, be granted to Her Majesty, to pay the expenses incurred by the Commissioners for the improvement of the Inland Waters of the Newcastle District, under the Provincial Act, 3 William the Fourth, namely, two thousand pounds, amount of Debentures issued by the Commissioners, and dated third June, one thousand eight hundred and thirty-three; and one thousand four hundred and forty pounds, interest from that date to the second June, one thousand eight hundred and forty-five, being twelve years, at six per cent.

St. Lawrence  
Navigation.

110. Resolved, That it is the opinion of this Committee, that a sum not exceeding four thousand three hundred and twenty-eight pounds, three shillings and one penny, currency, be granted to Her Majesty, to enable John M'Donald, President of the Board of Commissioners for improving the Navigation of the River St. Lawrence, to liquidate claims for Land damages, allowances to Commissioners for attendance, Engineers, Salary, Labour, &c.

Chambly  
Turnpike.

111. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand five hundred pounds, currency be granted to Her Majesty, to enable the Trustees of the Longueuil and Chambly Turnpike Road to meet demands against them, and for other purposes.



Attorney General Ogden.

112. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and seventy-one pounds, sixteen shillings and one penny, currency, be granted to Her Majesty, to pay the amount of claims of C. R. Ogden, for services as late Attorney General in Lower Canada, previous to one thousand eight hundred and forty-five.

C. Shiller.

113. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and fifty-eight pounds, two shillings and threepence, currency, be granted to Her Majesty, to pay the amount of claims of Charles Shiller, for service of Subpoenas for the Criminal Term at Montreal, in one thousand eight hundred and thirty-eight.

New Brunswick Boundary Line.

114. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred and seventy-four pounds, five shillings and tenpence, currency, be granted to Her Majesty, to meet any further expenses for establishing the Boundary Line between this Province and New Brunswick.

W. Evans, Esq.

115. Resolved, That it is the opinion of this Committee, that a sum not exceeding ten pounds, currency, be granted to Her Majesty, to reimburse W. Evans, Esquire, so much paid by him for Insurance on the French copies of his Treatise on Agriculture belonging to this Province, and intended for distribution in Lower Canada.

J. Hallowell, Advocate.

116. Resolved, That it is the opinion of the Committee, that a sum not exceeding seventy-eight pounds, six shillings and fivepence, currency, be granted to Her Majesty, to enable the Government to pay to James Hallowell, Advocate, at Sherbrooke, acting for the Attorney General in conducting certain causes on the part of the Crown, in the years one thousand eight hundred and thirty-six and one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight.

Commissioner of Bankrupts.

117. Resolved, That it is the opinion of this Committee, that a sum not exceeding thirty-four pounds, five shillings, currency, be granted to Her Majesty, to pay the claims of Messrs. Quesnel, Cherrier, and Fisher, for their services in an enquiry into the charges preferred by Mr. White, against Mr. Badgley, as Commissioner of Bankrupts.

H. Smith.

118. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty-nine pounds, fifteen shillings and tenpence, currency, be granted to Her Majesty, to refund to Henry Smith, of Chatham, the amount of duty paid by him to the Collector of Goderich, in one thousand eight hundred and

forty, under peculiar circumstances, on a quantity of Whiskey manufactured at Goderich, in this Province.

Chairman,  
Quarter Sessions,  
Three Rivers.

119. Resolved, That it is the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, to enable the chairman of the Quarter Sessions of the Peace at Three Rivers, to defray the expenses of publishing new Police Regulations for the town of Three Rivers, and to repair and furnish the Chamber, namely, twenty-five pounds for the first object, and fifty pounds for the latter purpose.

District  
of Talbot.

120. Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty-three pounds, fifteen shillings, currency, be granted to Her Majesty, to refund to the district of Talbot so much over-paid to the Provincial Treasury, for Members' Wages, for the year one thousand eight hundred and forty-one.

Messrs. Hall  
and Thorburn.

121. Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and sixty-nine pounds, nine shillings and two-pence, currency, be granted to Her Majesty, to pay the parties whose claims were reported on by Messrs. Hall and Thorburn, as Commissioners for Works on Roads and Bridges in Canada West, under the Acts of the 7 William IV., chapter 107, and 2 Victoria, chapter 56.

Census, County  
of Rimouski.

122. Resolved, That it is the opinion of this Committee, that a sum not exceeding seventy-one pounds, fifteen shillings and tenpence, currency, be granted to Her Majesty, to liquidate the claim of Joseph Ouellet, for taking the Census of the county of Rimouski, in one thousand eight hundred and thirty-one.

Pension of  
J. Brien dit  
Durocher.

123. Resolved, That it is the opinion of this Committee, that a sum not exceeding fifty-six pounds, seventeen shillings and sevenpence, currency, be granted to Her Majesty, to pay the Pension of Jacques Brien dit Durocher, for having been wounded during the winter of one thousand eight hundred and thirty-eight, from the 27th

(396)

February, one thousand eight hundred and forty-three, to 31st December, one thousand eight hundred and forty-five, at the rate of twenty pounds per annum.

Difference  
of Salary to  
Geo. Hamilton.

124. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to pay the difference of Salary to George Hamilton, for the year one thousand eight hundred and thirty-nine, as Clerk in the Receiver-General's Office, between one hundred and fifty pounds and one hundred and seventy pounds, arising from some inadvertence or error.

Survey, South  
Petit Nation  
River.

125. Resolved, That it is the opinion of this Committee, that a sum not exceeding thirty-three pounds, fifteen shillings, currency, be granted to Her Majesty, for Compensation to Peter Fleming, for his expenses preparatory to a Survey of the South Petit Nation River.

Monklands.

126. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand and five pounds, seven shillings, currency, be granted to Her Majesty, to pay the balance of expenses, additions, and repairs to Monklands, the residence of His Excellency, the Governor General.

Parliament  
House.

127. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and eighty-eight pounds, ten shillings and ninepence, currency, be granted to Her Majesty, to pay the balance of expenses for alterations, &c. to the Parliament House.

Old Govern-  
ment House.

128. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand and forty-one pounds, one shilling, currency, be granted to Her Majesty, to pay the balance of expenses for alterations to the Old Government House, and other Buildings, and Government Offices, Furniture, &c.

Freight, &c.

129. Resolved, That it is the opinion of this Committee, that a sum not exceeding thirty-one pounds, twelve shillings and eightpence, currency, be granted to Her Majesty, to pay for Freight, Postage, Packing Cases, &c.

Census,  
Saguenay.

130. Resolved, That it is the opinion of this Committee, that a sum not exceeding eight pounds, currency, be granted to Her Majesty, as an extra allowance in favour of L. C. Clement, for having taken the census of the county of Saguenay.

Weights and  
Measures,  
Quebec.

131. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and eighty-five pounds, currency, be granted to Her Majesty, to procure a set of Standard Weights and Measures for the district of Quebec, to replace those which were destroyed by fire in one thousand eight hundred and forty.



House of  
Correction,  
Three Rivers.

132. Resolved, That it is the opinion of this Committee, that a sum not exceeding ninety-five pounds, currency, be granted to Her Majesty, to enable the Commissioners for the House of Correction at Three Rivers, to liquidate certain debts contracted by them, and to procure working tools and materials.

Travelling Al-  
lowances, Judges,  
Queen's Bench.

133. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand five hundred pounds, currency, be granted to Her Majesty, for Travelling Allowance for Circuits to the Judges in the Queen's Bench in Lower Canada, for the years one thousand eight hundred and forty-four, and one thousand eight hundred and forty-five.

Warden, Provin-  
cial Penitentiary.

134. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, as an addition to the Salary of the Warden of the Provincial Penitentiary, for the year one thousand eight hundred and forty-five.

Kempt Road.

135. Resolved, That it is the opinion of this Committee, that a sum not exceeding twenty-five pounds, currency, be granted to Her Majesty, to pay an allowance to J. Noble, for residing on the Kempt Road, with a view to the assistance of travellers, for the year one thousand eight hundred and forty-five.

School,  
Three Rivers.

136. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, for the support of the newly established School at Three Rivers, being the amount included in the estimate of one thousand eight hundred and forty-two, and one thousand eight hundred and forty-three, as an aid to the Society of Education at that place, but not drawn from the Public Chest; and in addition to the sum for that Institution included in a previous vote to assist the inhabitants in paying expenses they have incurred.

School at  
Lorette.

137. Resolved, That it is the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, as an aid for the support of a Female School at the village of Lorette, near Quebec, for the year one thousand eight hundred and forty-five.

Alwington  
House.

138. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and twenty-five pounds, eight shillings and one penny, currency, be granted to Her Majesty, to pay the Honourable C. W. Grant, for the value of articles of Furniture missing at Alwington House, at Kingston, the late residence of the Governor General.



Revision  
of Statutes.

139. Resolved, That it is the opinion of this Committee, that a sum not exceeding six hundred pounds, currency, be granted to Her Majesty, for remunerating the Commissioners for the revision of the Statutes of Upper Canada.

140. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for remunerating the Commissioners for the revision of the Statutes of Lower Canada.

Gull Island  
Light House.

141. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred and sixty-nine pounds, ten shillings and three-pence, currency, be granted to Her Majesty, to pay a balance due to the Contractors for Presqu'Isle and Gull Island Light House.

Religious  
Instruction,  
Penitentiary.

142. Resolved, That it is the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to provide for Religious Instruction in the Provincial Penitentiary, for the year one thousand eight hundred and forty-five.

Colonel  
FitzGibbon.

143. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for Lieutenant Colonel FitzGibbon, in lieu of the grant of Land recommended to be made to him by the Legislature of Lower Canada.

(397)

J. Lonney.

144. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and forty pounds, currency, be granted to Her Majesty, to indemnify James Lonney for losses incurred by him, in consequence of unavoidable delays, in commencing his operations as Contractor on the Cascades Road.

Cascades  
Road, &c.

145. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand two hundred pounds, currency, be granted to Her Majesty, for the improvement of portions of the road between the Cascades and Vaudreuil, and thence across Isle Perrot to St. Anne.

Champlain  
Bridge.

146. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, towards building a Bridge over the River Champlain, for the year one thousand eight hundred and forty-five.

Jacques Cartier  
Bridge.

147. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand five hundred pounds, currency, be granted to Her Majesty, towards building a Bridge over the River Jacques Cartier, and improving the approaches thereto for the year one thousand eight hundred and forty-five.

Kennebec  
Road.

148. Resolved, That it is the opinion of this Committee, that a sum not exceeding three thousand pounds, currency, be granted to Her Majesty, for the improvement of parts of the Kennebec Road.

Gaspé  
Road.

149. Resolved, That it is the opinion of this Committee, that a sum not exceeding four thousand pounds, currency, be granted to Her Majesty, for works connected with the Gaspé Road, namely, expenses of the Gaspé Road from Percé Point to the settlements on Gaspé Basin; ditto, from Little River Ristigouche, to the mouth of the Matapédiac; Construction of the Metis and Ristigouche Bridges; Repairs of the Kenmore Bridge, and of the Road in Percé, for the year one thousand eight hundred and forty-five.

Chemin  
des Caps.

150. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for improvements to the Chemin des Caps, for the year one thousand eight hundred and forty-five.

Certain  
Bridges.

151. Resolved, That it is the opinion of this Committee, that a sum not exceeding six thousand seven hundred pounds, currency, be granted to Her Majesty, for building Bridges on the road south of the St. Lawrence, over the Etchemin, Nicolet, Bécancours, Godfroi, and Chateauguay Rivers, and over the River DuChesne in the county of Lotbinière, for the year one thousand eight hundred and forty-five.

Athabaska  
Road.

152. Resolved, That it is the opinion of this Committee, that a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, towards opening the Athabaska Road, from the Gosford Road in Halifax, and terminating in the Melbourne and Kingsey Road--thereby opening the townships of Warwick, Somerset, Chester, Athabaska, and Tingwick, including a branch therefrom to the St. Lawrence, in Gentilly, through Stanford and Blandford, and the building of a Bridge over the St. Francis at Melbourne, for the year one thousand eight hundred and forty-five.

Stage Road  
from St. Johns  
to Stanstead.

153. Resolved, That it is the opinion of this Committee, that a sum not exceeding six thousand pounds, currency, be granted to Her Majesty for

the improvement of the Stage Road between St. Johns, in the district of Montreal, and Stanstead, in the district of St. Francis; flanking on otherwise, improving that portion of it between St. Johns and Stanbridge Upper Mills, and improving sundry portions, including the Sutton and Porton Mountain Road, for the year one thousand eight hundred and forty-five.

Main Eastern Townships Road.

154. Resolved, That it is the opinion of this Committee, that a sum not exceeding eight thousand pounds, currency, be granted to Her Majesty, towards the planking of that portion of the main Eastern Townships Road, from Chambly, by Granby, Stukely, Shefford, the Outlet, Surford, and Hamelford, to the Province Line; with branches to Stanstead and Chambrade, between Chambly and Granby, and the improvement of sundry other parts of the line, in grading and forming, including the Bridge at Rock Island, for the year one thousand eight hundred and forty-five.

Montreal and Grenville Road.

155. Resolved, That it is the opinion of this Committee, that a sum not exceeding six hundred pounds, currency, be granted to Her Majesty, to cover the cost of an examination, preparation of Estimates, &c., of the Montreal and Grenville Road, by St. Eustache, St. Amable, &c. preliminary to the general improvement thereof; also, of an examination and preparation of Estimates for the improvements of the road, from the St. Lawrence, at St. Thomas, to the Boundary line, near the North West branch of the river St. Johns; also, of Survey and Estimate of the construction of wharves at each of the following places, viz: St. Thomas, Bartholomew, Longue-raska, St. Michel, L'Islet, and River du Loup, in the county of Richmond.

Chatham Bridge.

156. Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, for present repairs to the Chatham Bridge.

Grand River Swamp Road.

157. Resolved, That it is the opinion of this Committee, that a sum not exceeding nine thousand pounds, currency, be granted to Her Majesty, for improving the Grand River Swamp Road, for the year one thousand eight hundred and forty-five.

Rouge Hill and Bridge.

158. Resolved, That it is the opinion of this Committee, that a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, for improving Rouge Hill and Bridge; also, another Bridge and Hill, part of the former, for the year one thousand eight hundred and forty-five.

Belleville Bridge.

159. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand five hundred pounds, currency, be granted to Her Majesty, for Belleville Bridge.



Dover Road.

160. Resolved, That it is the opinion of this Committee, that a sum not exceeding five thousand five hundred pounds, currency, be granted to Her Majesty, for the completion of the Dover Road, over the mountain to the limits of the town of Hamilton, and erection of Toll-gates.

Road from L'Orignal to Bytown.

161. Resolved, That it is the opinion of this Committee, that a sum not exceeding three thousand pounds, currency, be granted to Her Majesty, for the improvement of the Road from L'Orignal to Bytown, by Hatfield, Gifford, Buckworth, and Green's Creeks, as sur-

(398)

veyed and estimated; together with the building of a Bridge across the narrow channel at the mouth of the Rideau, on the line of the road from the Gatineau Ferry to Bytown, for the year one thousand eight hundred and forty-five.

Owen's Sound Road.

162. Resolved, That it is the opinion of this Committee, that a sum not exceeding four thousand pounds, currency, be granted to Her Majesty, for the chopping, clearing, drawing and forming of the portion of Owen's Sound Road, comprehending the line from Dundas, by Guelph, to Owen's Sound; and towards the lowering of hills, or otherwise improving such bad parts of the line between Nichol and Dundas, as most require it.

Scugog Road.

163. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, for the opening of the road from the head of Scugog Road to the Narrows' Bridge, forming part of the road from Lake Ontario, at Windsor Harbour, to Georgian Bay, on Lake Huron.

Queenston and Grimsby Road.

164. Resolved, That it is the opinion of this Committee, that a sum not exceeding eight thousand pounds, currency, be granted to Her Majesty, for improving the Queenston and Grimsby Road; for laying on the metal already delivered, and completing such parts left unfinished as are most advanced, and establishing gates.

Trent Navigation.

165. Resolved, That it is the opinion of this Committee, that a sum not exceeding six thousand pounds, currency, be granted to Her Majesty, for improving the Trent Navigation, towards the completion of the Works now in progress, for the year one thousand eight hundred and forty-five.

Surveys, Main Province Road.

166. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to



cover expense of Surveys, Examinations, preparation of Estimates of the cost of Improving the Main Province Road across the rapids of the Five and Sixteen-Mile Creeks, between Toronto and Hamilton; opening a road from the main road to Port Credit; opening and completing a Road from the Ottawa at Bytown to the St. Lawrence, in the most direct line; of opening a Road between Kingston and the Lake Des Alleuettles on the Ottawa, with a branch towards the head of the Bay of Quinté; of opening a Road from the Rideau, thence by Perth, Bellamy's Mills, White Lake, to fall in with the Road proposed from Bytown to Sydenham; of completing the MacLardine Canal; of constructing the Murray Canal; of overcoming the impediments to the Navigation of the River Trent, between Healy's Mills and the Bay of Quinté; and also for a Survey of the Road from Barrie to Lake Huron, through the townships of Sunnidale and Nottawasaga.

Amherstburg  
and Sandwich  
Road.

167. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for improving the Amherstburg and Sandwich Road.

Cornwall and  
L'Orignal Road.

168. Resolved, That it is the opinion of this Committee, that a sum not exceeding nine hundred pounds, currency, be granted to Her Majesty, for the Cornwall and L'Orignal Road.

Portage Road  
at the Chats.

169. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand two hundred and fifty pounds, currency, be granted to Her Majesty, to form a Dam across the rapids of the Mattaposti, and forming a Portage Road at the Chats.

Ottawa Works  
and Roads.

170. Resolved, That it is the opinion of this Committee, that a sum not exceeding eight thousand five hundred pounds, currency, be granted to Her Majesty, for Works upon the Ottawa and Rideau, as detailed in the Report of the Board of Works of the third February, one thousand eight hundred and forty-five, laid before the Legislature for the year one thousand eight hundred and forty-five.

Landing,  
Grosse Isle.

171. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand seven hundred and fifty pounds, currency, be granted to Her Majesty, for building a Landing Wharf, with stairs and approaches, at the Quarantine Station, Grosse Isle.

Rondeau  
Harbour.

172. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for the extension of Piers and Wharf at the Rondeau Harbour, for the year one thousand eight hundred and forty-five.

Port Stanley Harbour.

173. Resolved, That it is the opinion of this Committee, that a sum not exceeding one thousand two hundred pounds, currency, be granted to Her Majesty, for the extension of Piers and opening Inner Basin at Port Stanley Harbour, for the year one thousand eight hundred and forty-five.

Cobourg Harbour.

174. Resolved, That it is the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for Dredging at Cobourg Harbour.

Windsor Harbour.

175. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, for expenses of Piers and Dredging at Windsor Harbour.

Light Houses.

176. Resolved, That it is the opinion of this Committee, that a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, for repairs and erection of Light Houses, for the year one thousand eight hundred and forty-five.

Lachine Canal.

177. Resolved, That it is the opinion of this Committee, that a sum not exceeding fifteen thousand pounds, currency, be granted to Her Majesty, for the formation of a deep Water Basin at the entrance of the Lachine Canal, in the Harbour of Montreal, to admit vessels from sea.

Custom House, Toronto.

178. Resolved, That it is the opinion of this Committee, that a sum not exceeding two thousand five hundred pounds, currency, be granted to Her Majesty, for the erection of a Custom House at Toronto.

Ordered, That the question of concurrence be now separately put upon each of the said Resolutions.

And the first of the said Resolutions, being again read,

Salary, Adj't. General of Militia.

Mr. Christie moved, in amendment, seconded by Mr. Thompson, that all the words after the word "exceeding," in the said Resolution, be struck out, and the following words be substituted: "two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the Adjutant General of Militia of Lower Canada, for the year one thousand eight hundred and forty-five."

(399)

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth: --

YEAS.

Aylwin, Bertrand, Boutillier, Cameron, Chauveau, Christie, Cummings, DeBleury, DeWitt, Drummond, Johnston, Lacoste, LaFontaine, Laurin, Leslie, Macdonald of GLENGARRY, M'Connell, Merritt, Méthot, Price, Rousseau, Smith of WENTWORTH, Thompson, and Williams--(24.)

NAYS.

Baldwin, Boulton, Chalmers, Colville, Daly, Dickson, Duggan, Threlton, Attorney General Draper, Ermatinger, Hale, Jessup, Macdonald of CORKWALL, Macdonald of KINGSTON, Meyers, Moffatt, Mumey, Pariseau, Piddell, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Taché, Webster, and Woods--(29.)

So it passed in the negative.

The question being then put on the said first Resolution, it was agreed to by the House.

And the second to the eighteenth of the said Resolutions, inclusively, being again severally read, and the question being separately put upon each, they were agreed to by the House.

The nineteenth of the said Resolutions being again read,

Salary Speaker of Assembly.

Mr. Christie, moved, in amendment, seconded by Mr. Thompson, that all the words after the word "exceeding," in the said Resolution, be struck out, and the following substituted: "five hundred pounds, currency, be granted to Her Majesty, as a Sessional allowance to the Speaker of this House for the present Session."<sup>31</sup>

MR. AYLWIN supported the amendment, he considered £500 as much as the country could afford. He did this without relation to the individual who filled the chair, for he had stated to Mr. Morin at the opening of the Session, when that gentleman was expected to be Speaker, that he intended to give his vote for the reduction now moved for.<sup>32</sup>

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Aylwin, Cameron, Christie, Duggan, LaFontaine, Laurin, Merritt, Morin, Rousseau, Smith of WENTWORTH, Thompson, and Williams--(19.)



## NAYS.

Baldwin, Bertrand, Boulton, Boutillier, Chalmers, Colville, Cummings, Daly, DeBleury, DeWitt, Dickson, Attorney General Draper, Drummond, Erma-tinger, Guillet, Hale, Jessup, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Méthot, Meyers, Moffatt, Murney, Papineau, Price, Riddell, Robinson, Roblin, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Taché, Webster, and Woods--(42.)

*So it passed in the negative.*

*Mr. Christie then moved, in amendment to the said nineteenth Resolution, seconded by Mr. Williams, that the following words be added thereto: "provided the said Speaker hold no office of profit or emolument under the Crown, nor receive any other salary, fee, or allowance of any description, during the said year, from or out of the Consolidated Revenue Fund of this Province."*

The hon. gentleman ((MR. CHRISTIE)) said that this motion was for the purpose of preventing the Speaker from receiving the Sessional allowance, or from acting as Queen's Counsel, or being under any coligation (sic) to the Executive.<sup>33</sup>

MR. ((JOHN SANDFIELD)) MACDONALD of Glengarry, hoped that the motion would be withdrawing (sic), such narrow legislation was not becoming that House.<sup>34</sup>

MR. CAMERON had voted for the previous motion, but he could not for this, and he hoped it would be withdrawn. It was true that upon a previous occasion a somewhat similar provision had been attached to the grant, but the Independence of Parliament Bill was not then in existence, and the Speaker held an office of £1250 a year besides.<sup>35</sup>

MR. MERRITT hoped the motion would be withdrawn, but not for the same reasons as given by other hon. gentlemen. He considered that if it were passed it would serve as a cover to the extravagant salary the House had voted.<sup>36</sup>

MR. ((JOHN ALEXANDER)) MACDONALD, of Kingston, supposed that the object of preventing the Speaker from acting as Queen's Counsel was to leave the Circuit open to Mr. Harrison.<sup>37</sup>

MR. AYLWIN would support the motion, because he did not consider that it became the Speaker of that House to be in a position to become the recipient of Government favours.<sup>38</sup>



(399)

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Aylwin, Boutillier, Chauveau, Christie, LaFontaine, Laurin, Leslie, Rousseau, Sherwood of BROCKVILLE, Thompson, and Williams--(11.)

NAYS.

Baldwin, Bertrand, Boulton, Cameron, Chalmers, Colville, Cummins, Daly, DeBleury, Desautier, Dewitt, Dickson, Attorney General Draper, Drummond, Duggan, Dunlop, Ermatinger, Guillet, Hale, Jessup, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Merritt, Méthot, Moyers, Moffatt, Norin, Murray, Papineau, Price, Riddell, Robinson, Roblin, Scott, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Taché, Webster, and Woods--(48.)

So it passed in the negative.

The question being then put upon the said nineteenth Resolution, it was agreed to by the House.

The twentieth to the sixty-seventh of the said Resolutions, inclusively, being again severally read, and the question being separately put upon each, they were agreed to by the House.

Grant to  
McGill College.

The sixty-eighth of the said Resolutions  
being again read,

MR. SCOTT objected to the grant to the Medical Faculty of M'Gill College.<sup>39</sup>

(399)

and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Boulton, Cameron, Chalmers, Christie, Colville, Daly, DeBleury, Desautier, Dewitt, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Guillet, Hale, Jessup, Lacoste, LaFontaine, Laterrière, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of STORMONT, M'Connell, Murray, Papineau, Price, Riddell, Robinson, Roblin, Rousseau, Sherwood of BROCKVILLE, Solicitor General Sherwood, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Webster, Williams, and Woods--(43.)

NAYS.

Bertrand, Chauveau, Laurin, Macdonell of DUNDAS, Méthot, Morin, and Scott--(7.)

*So it was carried in the affirmative.*

MR. ((ROLLAND)) MACDONALD of Cornwall, wished to call the attention of the administration to the propriety of making a grant of £500 each to Queen's College and that of Regiopolis. He hoped that a supplementary estimate would be brought down, in which these items would not be forgotten. He also trusted that next session some provision would be made for the deaf and dumb. There were a great number of these unfortunate beings in the Province, and it became the Legislature to follow the example set in other countries, and found an Asylum into which they might be received and educated, that they might be enabled to learn some useful trade, and the tedium of their solitary existence be relieved.<sup>40</sup>

(399)

*The sixty-ninth of the said Resolutions being again read,*

*The Honourable Mr. Aylwin moved, in amendment to the said Resolution, seconded by Mr. Christie, that the following words be added thereto:-- "Provided that no such Superintendent shall be a teacher or Minister of religion;" and a debate arising thereupon,*

*A lengthy discussion arose<sup>41</sup>.*

MESSRS. PRICE, CAMERON and AYLWIN attacked the Government for the appointment of Egerton Ryerson, and that gentleman for his letters from England, published in the Toronto Colonist.<sup>42</sup>

MESSRS. ATTORNEY GENERAL DRAPER, DUNLOP, SOLICITOR GENERAL ((HENRY)) SHERWOOD, and MR. ROBLIN, were against the motion.<sup>43</sup>

MR. ERMATINGER said that if this motion affected Egerton Ryerson alone, he would vote for it, for he considered the appointment of that gentleman as a disgrace to the Government.<sup>44</sup>

(399)

*Ordered, That the debate be adjourned till the afternoon sitting of the House this day.*

*Then the House adjourned until three o'clock, P.M. this day.*

3 O'Clock, P.M.

*The Order of the Day being read, for resuming the adjourned debate upon the motion of amendment made this day to the sixty-ninth Resolution*

*of Supply, that the following words be added thereto,--"Provided that no such Superintendent shall be a teacher or Minister of religion."*

*And the said motion of amendment being again read,*

*The House resumed the said adjourned debate,*

MR. BALDWIN spoke in condemnation of the appointment of Mr. Ryerson to the Superintendent of Education, and that of Dr. Murray to the Professorship of Mathematics in King's College. He characterized the first as an infamous political job to bring over a political apostate; and said that the other was totally incompetent to fill the office which he had received. He could not, however, vote for the amendment of the member for Quebec.<sup>45</sup>

MR. BOULTON corroborated what had been said by Mr. Baldwin. The appointment of Mr. Ryerson was an infamous political job, and an insult to every member of the Church of England, and to every minister of the Churches of England, Scotland and Rome. He could not, however, vote for the amendment.<sup>46</sup>

DR. DUNLOP said, that it was extraordinary to see the meeting of political extremes in the members for the Fourth Riding of York and the city of Toronto. The course was a common one, it was to maintain the supremacy of the Church of England; and the intrusion of Mr. Ryerson was looked upon with as little pleasure as a pig among the peas. The hon. gentleman passed a high eulogium upon Mr. Murray, as one of the first mathematical scholars of the day, and said that he doubted the qualifications to judge of his capabilities possessed by those who represented the contrary.<sup>47</sup>

MR. AYLWIN asked leave to withdraw his amendment and make another.<sup>48</sup>

MR. GOWAN hoped it would not be granted; the trick of making motions to be withdrawn, for the purpose of enabling members to make long speeches, and waste the time of the House had been played too often. He hoped the House would divide upon this motion, that the country might see who were the men who desired to exclude the Clergy from the educational system of the country.<sup>49</sup>

MR. LAFONTAINE said, that if the amendment referred to Lower Canada alone, he would vote for it, but as it stood he should be compelled to vote against it unless it were withdrawn.<sup>50</sup>

MR. AYLWIN said, that he wished to withdraw his amendment, in order to prevent a mis-interpretation of it. He was fully aware of the necessity of Religious instruction to youth, but he did object to the mixing up of Religion with politics. He called upon the member for Leeds to

give him his assistance on this occasion to prevent the misapprehension which might be put upon this amendment, and the newspaper cry which would be raised in consequence.<sup>51</sup>

MR. GOWAN, No! No!<sup>52</sup>

MR. AYLWIN continued - Such conduct was what might be expected from the member for Leeds, who was the head of the Orange Society, and who would not lose an opportunity to create religious discussion; he had thriven upon such, and to them he owed the seat he held in that House. His only reason for desiring to withdraw the amendment was that it should not be made an opportunity for misrepresentation.<sup>53</sup>

Leave to withdraw the motion was then negatived.<sup>54</sup>

MR. GOWAN said, that he was not surprised at the course which was taken by the member for Quebec; he had been whipped and lashed by a newspaper in this city, and with him the season of penance was not gone by, he was still doing penance to the Editor of the Pilot, for his vote upon the University Bill. His whole course during the last few days, and the violent speeches he had made were convincing proofs of this. The hon. gentleman had thought proper in the course of his wanderings, to single out him (Mr. Gowan,) and to make a most unjustifiable attack upon him as the head of a certain Society, and had represented him as holding his seat in that House, by stirring up the evil passions of men by Religious dissension. Sir, if I were to call upon any member of this House to point me out the man - to place me his finger on the shoulder of that individual who above all others - aye, Sir, first and alone has striven upon every opportunity to throw the torch of religious discord into the House, and to light up the flames of national contention - setting religion against religion - and origin against origin - would he not place it upon the member for Quebec. (Cheers.) Yes Sir, he has been the first, almost the only member of this House, who has dragged difference of religion, and sectional origin into our discussions; and it is he who now charges me with that, of which he is alone guilty. In doing so, he has spoken of things of which he knows nothing.<sup>55</sup>

MR. AYLWIN. - I have read Mr. Buell's pamphlet, given me by the member for Megantic.<sup>56</sup>

MR. DALY. - I have no recollection of it.<sup>57</sup>

MR. AYLWIN. - Yes! you did.<sup>58</sup>

MR. DALY. - I do not believe it.<sup>59</sup>

MR. AYLWIN (rising.) - I say you did.<sup>60</sup>

MR. DALY. - Sir! it is false.<sup>61</sup>



MR. AYLWIN. - What do you say?<sup>62</sup>

MR. DALY - I say! that it is false.<sup>63</sup>

Some of Mr. Daly's supporters cried out ... across the floor, "Take that" - "Take that": - <sup>64</sup>

MR. AYLWIN sat down !!!<sup>65</sup>

MR. GOWAN resumed. - He defied any man to bring forward an instance of his having sought to stir up religious dissensions. In his county, among the people of a different creed to his own, he had never had one dispute, and a proof of what odour he was held in by them, might be found in the fact that he had been elected President of the St. Patrick's Society there, which office he had still the honor to hold. He pointed to his being found supporting an Administration one half of which were Roman Catholics, as an illustration of Orange illiberality. He made no distinction of religion or origin, all he sought was equal rights to all. To refer to the motion before the House, he was opposed to it; he had been opposed to the withdrawal of the amendment, because he gave to it the interpretation it bore upon its face, as an attempt to proscribe the Clergy, and when he took it in connection with the Bill which was passed by the late Ministry for making Aliens of them, he could put no other construction upon it.<sup>66</sup>

MR. DRAPER said, that after the time which had been already consumed, he was unwilling to make any observations, but after the House had seen the trick of putting amendments for no other purpose than of enabling members to indulge in personal attacks, tried once before that week, and then seen those amendments withdrawn to prevent their being answered, he could no longer sit quiet. He should not therefore direct his remarks so much to the motion before the House, as to some of these attacks of which the present debate had been made the medium. It was found an excellent opportunity to make an attack on the hon. member for Leeds, and for canvassing the conduct of the gentleman appointed as superintendent of education in Upper Canada, and the qualifications of his predecessor now Professor of Mathematics in King's College. He did not feel himself called upon to defend the latter appointment, that responsibility did not lay with the Executive Council.<sup>67</sup>

MR. LAFONTAINE. - Why was he dismissed?<sup>68</sup>

MR. DRAPER continued. - That was a question very easily answered, the gentleman in question never was dismissed.<sup>69</sup>

MR. LAFONTAINE. - Did he resign?<sup>70</sup>

MR. DRAPER. - He was nominated to another appointment and he received it.<sup>71</sup>

MR. LAFONTAINE. - Come boldly to the point.<sup>72</sup>

MR. DRAPER said, that he could assure the hon. gentleman that he would come boldly to the point, and he would never be found backward in doing so. (Cheers.) The whole Province had been well aware of the appointment of Mr. Ryerson and if the people had been as much opposed to it as was represented - if it was looked upon as the gross job it was now called, it was somewhat extraordinary that they should have returned a majority in favour of the Administration under which it had been made. The election was a sure test, and he did not remember to have heard that appointment brought forward as a charge against the Administration. (Hear.) The member for Quebec had alluded to the abilities of Dr. Murray for the situation which he filled, of which no doubt he was particularly well qualified to judge, considering that he knew nothing about him, but merely endorsed the statements of others. The one appointment he was prepared to justify, and the other was made before Ministers went to the country in the general election, and its vote was the criterion of its opinion. Whatever opinion might be entertained on other opinions or conduct of the present Superintendent of Education, he was well aware of the talents and industry of that gentleman, and he was convinced that time would show that the country had no cause to regret the appointment.<sup>73</sup>

(399)

*And the question being put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:--*

YEAS.

Aylwin, Berthelot, Cameron, Chauveau, Christie, DeWitt, Drummond, LaFontaine, Lantier, Leslie, Morin, Rousseau and Taché--(13.)

(400)

NAYS.

Baldwin, Boulton, Boutillier, Chalmers, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Johnston, Laterrière, Laurin, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Méthot, Meyers, Moffatt, Murney, Papineau, Powell, Petrie, Price, Riddell, Robinson, Roblin, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, Williams, and Woods--(49.)

*So it passed in the negative.*

Grants to  
Assistant  
Superintendents  
of Education.

The question being then put on the said sixty-ninth Resolution, it was agreed to by the House.

The seventieth to the one hundred and forty-second of the said Resolutions being again severally read, and the question being again separately put upon each, they were agreed to by the House.

Grant to  
Colonel  
FitzGibbon.

The one hundred and forty-third of the said Resolutions being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cameron, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Dunlop, Ermatinger, Foster, Greive, Guillet, Hale, Hall, Jessup, Lantier, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Meyers, Moffatt, Mumey, Papineau, Petrie, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of BYTOWN, Stewart of PRESCOTT, Webster and Woods--(38.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Boutillier, Chalmers, Chauveau, Christie, DeWitt, Johnston, Lacoste, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of DUNDAS, Méthot, Morin, Powell, Price, Rousseau, Scott, Smith of WENTWORTH, and Thompson--(24.)

So it was carried in the affirmative.

The one hundred and forty-fourth of the said Resolutions being again read, and the question being put thereon, it was agreed to by the House.

Grant for  
Cascades  
Road.

The one hundred and forty-fifth of the said Resolutions being again read,

The Honourable Mr. LaFontaine moved, seconded by Mr. Leslie, that the further consideration of all the votes under the heads, "For Public Works, Canada East," and "Canada West," be postponed until the next ensuing Session of Parliament.

Quelques membres du Haut-Canada ... ((ont opposé)) ... M. La Fontaine, se rejetant sur les avantages des améliorations publiques<sup>74</sup>.

((M. LAFONTAINE)) leur ((a déclaré)) ... qu'il les désirait comme eux, mais non pas aux dépens du Bas-Canada, il s'opposait à ce vote de crédit sur le principe que les allocations demandées pour les travaux publics décelaient une honteuse partialité, un dégoûtant favoritisme pour le Haut-Canada.<sup>75</sup>

(400)

*The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

Armstrong, Aylwin, Berthelot, Bertrand, Boutillier, Cauchon, Chauveau, Desaurier, DeWitt, Hall, Lagoste, LaFontaine, Leslie, Merritt, Morin, Rousseau, and Taché--(17.)

NAYS.

Baldwin, Boulton, Cameron, Chalmers, Christie, Cummings, Daly, DeBleury, Dickson, Dunlop, Attorney General Draper, Ermatinger, Foster, Greive, Guillet, Hale, Jessup, Johnston, Lantier, Laterrière, Laurin, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Méthot, Meyers, Moffatt, Murney, Powell, Petrie, Price, Riddell, Robinson, Roblin, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster and Woods--(47.)

*So it passed in the negative.*

*The question being then put upon the said one hundred and forty-fifth Resolution, it was agreed to by the House.*

*The one hundred and forty-sixth to the one hundred and seventy-eighth and last of the said Resolutions being again severally read, and the question being separately put upon each, they were agreed to by the House.*

Resolved, That the said Resolutions be referred to a Select Committee, composed of the Honourable Mr. Attorney General Draper, the Honourable Mr. Robinson, Mr. Roblin, and the Honourable Mr. Solicitor General Sherwood, to prepare and report a Bill in conformity thereto.

Supply  
Bill.

Mr. Roblin, from the Select Committee, to which was referred the Resolutions of Supply, to prepare and report a Bill in conformity thereto, presented to the House a Bill to make provision for defraying certain expenses of the Civil Government of this Province, for the year one thousand eight hundred and forty-five, which was received and read for the



first time, and ordered to be read a second time to-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Agriculture,  
Upper Canada.

"An Act for the encouragement of Agricultural Societies, and Agriculture in Upper Canada."

Boundaries,  
Beverley.

"An Act to establish the Boundaries of the Lots and Gores of Lands in the sixth, seventh, eighth, ninth, and tenth concessions of the township of Beverley, in the county of Halton."

And also,

Montreal  
Medical  
College.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Montreal College of Medicine and Surgery," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Elementary  
Instruction,  
Lower Canada.

The Order of the Day for the House in Committee on the Bill, to make better provision for Elementary Instruction in Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cauchon reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Municipal  
Authorities,  
Lower Canada.

The Order of the Day for the House in Committee on the Bill, to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local or Municipal Authorities in

Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Nelson took the chair of the Committee, and after some time spent therein,

(401)

Mr. Speaker resumed the chair,

And Mr. Nelson reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Militia,  
Lower Canada.

The Order of the Day for the second reading of the Bill, to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time, a certain provision of the Militia Law of Upper Canada, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Boulton took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Boulton reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill be engrossed.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

METCALFE.

Salary to Speaker  
of the Legislative  
Council.

The Governor General recommends, for the consideration of the Legislative Assembly, the copy of an Address from the Honourable the Legislative Council, on the subject of an annual Salary being

granted to the Speaker of that House.

GOVERNMENT HOUSE,  
Montreal, 24th March, 1845.

(COPY.)

LEGISLATIVE COUNCIL,  
Saturday, 22nd March, 1845.

Resolved, That an humble Address be presented to His Excellency, the Governor General, to inform His Excellency that this House being impressed with the expediency of remunerating their Speaker, by an annual Salary, for the arduous and important duties attached to his high office, humbly pray that he may be paid from the time of his appointment, at the same annual rate as the Speaker of the Legislative Assembly.

Ordered, That such members of the Executive Council who are Members of this House, do wait on His Excellency, the Governor General with the said address.

Attest.

(Signed,) CHARLES DELERY,  
Clk. Asst. Legt. Coun.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, copies of two Despatches; and the said Despatches are as followeth:--

(COPY.)  
No. 342.

DOWNING STREET  
4th February, 1845.

MY LORD,

Post Office  
Packet Service  
between Quebec  
and Nova Scotia.

Quebec and Nova Scotia.

I have to acknowledge the receipt of your Lordship's Despatch, No. 181, of the 17th December, transmitting a Resolution of the House of Assembly of Canada, on the subject of the anticipated interruption of the Post Office Packet Service between

Her Majesty's Government trust that the Province will not experience, to any serious extent, the inconvenience which is apprehended by the House of Assembly by the proposed change in the mode of maintaining the Post communication with Quebec. Considerations affecting the convenience of all parts of Canada, as well as financial motives, certainly render it

desirable to effect an alteration in the present system of conveying letters to Canada; if, at least, by that alteration the system can be made more generally conducive to the interests of the Public. With this view, therefore, a proposal from the Contractors of the North American Mail Packets to discontinue the running of the "Unicorn" to Quebec, has, for some time, been under consideration, the Contractors having offered to accept such discontinuance as an equivalent for a very considerable deduction from the sum they receive from Her Majesty's Government. With a view to the diminution of the very heavy expense which will necessarily attend the conveyance of the Canada mails through the United States, Her Majesty's Government have felt disposed to accept the offer made to them by the Contractors, foreseeing that, in the event of the mails being sent through the United States, the communication maintained by the means of the steamship "Unicorn," would, so far as the service of the Post Office is concerned, be scarcely of any advantage.

At present, however, the negotiations on this subject are not concluded; but in the state in which they are, there is reason to think that the change in question will be completed. I therefore can only state, that if the Legislature of Canada should be desirous of keeping up the Post communication with Quebec by steam, there is no other mode of which I am aware, of accomplishing that object, except by an arrangement between the Province and the owners of the "Unicorn."

I have, &c.

(Signed,) STANLEY.

The Right Honourable  
Lord Metcalf, G. C. B.

&c. &c. &c.

(COPY.)

No. 353.

DOWNING STREET,  
2nd March, 1845.

MY LORD,

Conveyance of  
British Mails  
through the  
United States.

With reference to my Despatch No. 342 of the 4th ultimo, I have to honour to acquaint your Lordship that Her Majesty's Government concluded an agreement on the 14th February last, with the Post Master General of the United States, for the conveyance through that country, of the British Mails, to and from Canada. Under this agreement the correspondence between this country and Canada will, after this Mail, be landed and embarked at Boston, instead of at Halifax, as at present. The letters will be forwarded, through the United



(402)

States, in iron boxes, and placed under the charge of an officer appointed by the Post Master General.

The first Homeward Mail to be despatched by this route, will be conveyed by the Packet appointed to leave Boston on the first of next May.

I have, &c.

(Signed,) STANLEY,

The Right Honourable  
Lord METCALFE, G. C. B.  
&c. &c. &c.

And also,

"Board of  
Works."

Return to two Addresses from the Legislative Assembly to His Excellency, the Governor General, the first dated 17th January last, praying that His Excellency would be pleased to direct the Board of Works to inquire and report, with as little delay as possible, into the feasibility of giving to the inhabitants of the district of Three Rivers, the benefit

"Ice Bridge,  
Three Rivers."

of an Ice Bridge over the River St. Lawrence, by means of three or more piers to be placed between the Bature à Léonard, near the parish of St. Pierre Les Becquets and the Batture à Bigot, near the parish of Champlain, or in the vicinity of these places;--and the second, dated 21st January, praying His Excellency to cause an inquiry to be made by the Board of Works, as to the feasibility of procuring, during each Winter, to the inhabitants of the city and district of Quebec, the benefit of an Ice

"Ice Bridge,  
Quebec."

Bridge between the city of Quebec, and the parish of Pointe Levy.

(For the said Return, see Appendix L. L. L.)

Private Stock  
Welland Canal.

The Order of the Day for the House in Committee on the Message of His Excellency, the Governor General, respecting the Debentures for buying up the Stock held by private individuals in the Welland Canal, presented to this House on the tenth of February last, being read,

The House accordingly resolved itself into the said Committee.

Mr. Price took the chair of the Committee,

((There ensued)) a discussion of two hours<sup>76</sup>.

(402)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Price reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Orders of  
the Day.

Mr. Armstrong moved, seconded by the Honourable Mr. LaFontaine, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Montreal  
Harbour.

The Order of the Day for the House in Committee on the Bill to provide for the improvement and enlargement of the Harbour of Montreal; to authorize the Commissioners to borrow a further sum of money for that purpose; to consolidate the Laws now in force relating to the same; and for other purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

Mr. Murney took the chair of the Committee,

MR. AYLWIN opposed the bill; he wished that five Commissioners should be appointed instead of three; and he was opposed to the charge of wharfage upon goods transhipped from one vessel to another without being landed, whereby a tax was levied upon the Lower Ports.<sup>77</sup>

MR. MOFFATT said, that without this provision, vessels receiving all the benefits of the harbour upon which the dredging machine was employed all the season, might anchor in the stream and receive their cargoes without paying one farthing. All goods going to Upper Canada although not landed have to pay these dues, and if landed, pay a second time.<sup>78</sup>

MR. AYLWIN contended, that this tax was a restriction upon trade, and if the principle were admitted, it would be equally just for the people of Three Rivers to tax the commerce passing up and down. He charged one of the Harbour Commissioners with having got into his hands the whole of the money department, and in consequence Debentures were issued at the enormous rate of £8 per cent; and had it not been for this, the large dues now required for the payment of the interest would not be now required.<sup>79</sup>

MR. DEWITT was in favor of a reduction of the charge upon the goods transhipped in stream. There was but one Debenture bearing a higher rate of interest than £5 per cent; in that case it was given when money was very scarce, and the party would not lend upon other terms.<sup>80</sup>

MR. MOFFATT thought that the management would be better conducted under three persons than five, as they would feel the responsibility more. With regard to the charge brought by the member for Quebec, it was done in such a manner that it could not be met. It would have been better had the person who informed the member for Quebec, to have come forward boldly and made the charge in such a manner as it could be met. For his own part, he had never heard a word of it.<sup>81</sup>

((MR. AYLWIN made a remark.))<sup>82</sup>

MR. MOFFATT repeated that he had never heard of the charge.<sup>83</sup>

MR. AYLWIN said that he should press the appointment of five Commissioners. One of the Commissioners now quarrelled alternately with his colleagues, and thus obtained the whole management.<sup>84</sup>

MR. ATTORNEY GENERAL ((JAMES)) SMITH, to avoid discussion at that late period, agreed to suspend action upon the second clause for the present. The same with the fourteenth clause, at which the Committee stopped.<sup>85</sup>

(402)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Murney reported that the Committee had made some progress, and had directed him to move for leave to sit again.*

*Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.*

*Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.*

*Then, on motion of the Honourable Mr. LaFontaine,*

*The House adjourned.*

FOOTNOTES - 25 MARCH 1845.

1. The debate on this motion was reported by: MONTREAL GAZETTE, 27 March 1845, BRITISH WHIG, 1 April 1845, copied from MONTREAL COURIER, KINGSTON NEWS, 3 April 1845, and GLOBE, 25 March 1845, in identical accounts; and EXAMINER, 9 April 1845.
2. GLOBE, 25 March 1845.
3. IBID.
4. IBID.
5. IBID.
6. The debate on this matter was reported by: GLOBE, 25 March 1845, in an account abbreviated but otherwise identical to that of the PILOT, 27 March 1845; MONTREAL GAZETTE, 27 March 1845, KINGSTON NEWS, 3 April 1845, BRITISH WHIG, 1 April 1845, copied from MONTREAL COURIER, BRITISH COLONIST, 1 April 1845, and EXAMINER, 9 April 1845, in identical accounts. LE JOURNAL DE QUEBEC, 27 March 1845, merely noted the debate. L'AUREOLE, 27 March 1845 contains a commentary. All these sources, excepting only LE JOURNAL DE QUEBEC, contain one identical speech, that of Draper's, which the PILOT and GLOBE note they copied from MONTREAL COURIER. Since all sources agree that the following exchange took place immediately after Boulton's motion was carried, it is inserted in this context rather than in an Appendix, though there is no mention of it in the JOURNALS. Whenever accounts are chosen from identical reports in the MONTREAL GAZETTE, EXAMINER, and BRITISH COLONIST, the BRITISH COLONIST is reproduced instead of the earlier dated but faded MONTREAL GAZETTE.
7. BRITISH COLONIST, 1 April 1845.
8. IBID.
9. PILOT, 27 March 1845.
10. BRITISH COLONIST, 1 April 1845.
11. PILOT, 27 March 1845.
12. BRITISH COLONIST, 1 April 1845.
13. PILOT, 27 March 1845, which reported that the gentlemen referred to were "understood to be Messrs. Draper and Smith."
14. PILOT, 27 March 1845.
15. BRITISH COLONIST, 1 April 1845. PILOT, 27 March 1845, added: "The antagonism between Messrs. Robinson and Smith caused the total abandonment of this measure."
16. BRITISH COLONIST, 1 April 1845.
17. PILOT, 27 March 1845.
18. BRITISH COLONIST, 1 April 1845.
19. PILOT, 27 March 1845.
20. BRITISH COLONIST, 1 April 1845.
21. IBID.
22. IBID.
23. PILOT, 27 March 1845.
24. BRITISH COLONIST, 1 April 1845.
25. PILOT, 27 March 1845.
26. BRITISH COLONIST, 1 April 1845.



27. PILOT, 27 March 1845.
28. BRITISH COLONIST, 1 April 1845.
29. PILOT, 27 March 1845, which added that during his speech, Robinson was "repeatedly and loudly cheered by the opposition."
30. PILOT, 27 March 1845.
31. The debate on this motion was reported by: LA MINERVE, 27 March 1845; PILOT, 27 March 1845; and MONTREAL GAZETTE, 27 March 1845, BRITISH WHIG, 1 April 1845, copied from MONTREAL COURIER, KINGSTON NEWS, 3 April 1845, ST. CATHARINES JOURNAL, 3 April 1845, and LE CANADIEN, 31 March 1845, in accounts identical in most respects except that the GAZETTE's report contains more speakers than that of the ST. CATHARINES JOURNAL and LE CANADIEN, and some of the GAZETTE's speeches are given in more detail than those in ST. CATHARINES JOURNAL and LE CANADIEN. When selections are chosen from the identical accounts in the MONTREAL GAZETTE, BRITISH WHIG, KINGSTON NEWS, ST. CATHARINES JOURNAL, and LE CANADIEN, the ST. CATHARINES JOURNAL is reproduced wherever possible, instead of the very faded MONTREAL GAZETTE.
32. MONTREAL GAZETTE, 27 March 1845.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. ST. CATHARINES JOURNAL, 3 April 1845.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. MONTREAL GAZETTE, 27 March 1845.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID. The exchange between Aylwin and Gowan, immediately following Gowan's speech, was also reported by the PILOT, 27 March 1845, in identical terms. The PILOT acknowledged the MONTREAL COURIER as its source.
56. MONTREAL GAZETTE, 27 March 1845.
57. IBID.
58. IBID.
59. IBID.
60. IBID.

61. IBID.
62. IBID.
63. IBID.
64. PILOT, 27 March 1845.
65. MONTREAL GAZETTE, 27 March 1845. The result of this exchange was a duel. The details are given in PILOT, 27 March 1845, and in CHATHAM GLEANER, 8 April 1845. The CHATHAM GLEANER reports: "Yesterday morning ((26 March 1845)) a hostile meeting took place a little beyond the Tanneries, on the Lachine road, between the Hon. Dominick Daly, Provincial Secretary, and T. C. Aylwin, Esq. M. P. P. for Quebec. It originated on a debate which took place the preceding evening in the House of Assembly, in consequence of which Mr. Aylwin sent a message to Mr. Daly. The parties met, accompanied by their seconds, Dr. Taché accompanying Mr. Aylwin, and S. Derbishire, Esq., Mr. Daly. The parties exchanged shots without effect, the ball of Mr. Daly's pistol passing close to the right shoulder of Mr. Aylwin. The latter gentleman then expressed himself satisfied, and the parties left the ground. We are happy to add, that a wish expressed on the part of Mr. Aylwin that the termination of the affair should be amicable, was met by Mr. Daly. Those, we believe, are the simple facts of ((the)) case."
66. MONTREAL GAZETTE, 27 March 1845.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. LA MINERVE, 27 March 1845.
75. IBID.
76. ST. CATHARINES JOURNAL, 3 April 1845.
77. MONTREAL GAZETTE, 27 March 1845.
78. IBID.
79. IBID.
80. IBID.
81. IBID.
82. MONTREAL GAZETTE, 27 March 1845, which actually reported: "Mr. Aylwin said that the person he alluded to was Mr. Rodier." However, this was incorrect, as Aylwin pointed out when he saw this report, so that report has not been reproduced here. See ((Error in MONTREAL GAZETTE's Parliamentary Report for 26 March 1845.)) in Appendix to 28 March 1845.
83. MONTREAL GAZETTE, 27 March 1845.
84. IBID.
85. IBID.

WEDNESDAY, 26 MARCH 1845.

(402)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Chalmers, the Petition of the President, Directors, and Company of the Bronte Harbour.

By Mr. DeWitt, the Petition of William Botham and others, of the county of Missisquoi.

By the Honourable Mr. Aylwin, the Petition of James Burns and John Gordon, Merchants, at Montreal.

Moneys  
Advanced from  
the Treasury.

An engrossed Bill to authorize the charge of a certain sum of money therein mentioned, advanced from the Treasury of the Province by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying during a period therein specified certain necessary and indispensable expenses of the Civil Government of the Province and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity to all concerned, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to authorize the charge of a certain Sum of Money therein mentioned, advanced from the Treasury of the Province by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying, during a period therein specified, certain necessary and indispensable expenses of the Civil Government of the Province and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity therefor to all concerned."

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Militia,  
Lower Canada  
and Upper  
Canada.

An engrossed Bill to revive and continue for a limited time a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Stewart, of Bytown, seconded by Mr. Johnston,

Culling and  
Measurement  
of Timber, &c.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein

(403)

mentioned," as amended, be now read for the third time.

The said amendments were accordingly read for the third time.

Resolved, That the said amendments, as amended, do pass.

Ordered, That Mr. Stewart, of Bytown, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments with an amendment, to which they desire their concurrence.

Petitions read.

Pursuant to the Order of the Day the following Petitions were read:--

Of James Corbett, Alexis Paulet and Louis Millette, praying to be remunerated for their services in taking the Census for the parish of Sorel.

Of Archibald M'Donell and others, of the township of Osgoode, praying for the construction of a road, leading from Bytown through Osgoode, to the St. Lawrence.

Of Edmund H. Parsons and others, of the city of Montreal, praying to be remunerated for their services in reporting the proceedings of the Legislative Assembly during the present Session.

Of Captain John Longworth, of the Second Huron Militia, praying to be reimbursed a certain sum for expenses and losses sustained by him during the late Rebellion.

Petition of  
E. Parson and  
others.

Mr. Dunlop moved, seconded by Mr. Dickson, that the Petition of Edmund H. Parsons, and others, of the city of Montreal, be referred to the Standing Committee on Contingencies.

The question having been put upon the said motion, it passed in the negative.



Report on  
the Petition  
of J. M'Bean.

Mr. Macdonell, of Dundas, from the Select Committee, to which was referred the Petition of John M'Bean, of Lancaster, in the Eastern district, presented to the House the Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix M. M. M.)

Report on the  
Petition of  
W. Morrison  
and others.

Mr. Armstrong, from the Select Committee, to which was referred the Petition of W. Morrison and others, of the township of Brandon, in the county of Berthier, presented to the House the Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix N. N. N.)

Ordered, That the said Report be printed for the use of the Members of this House.

Report on  
the Petition  
of Reid and  
Shepherd.

Mr. Sherwood, of Brockville, from the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal, and other references, with power to report by Bill or otherwise, and from time to time, presented to the House the first Report of the said Committee; which was again read at the Clerk's table.

(For the said Report, see Appendix S. S. S.)

Second Report.

Mr. Sherwood, of Brockville, from the Select Committee, to which was referred the Petition of John Reid and Robert Shepherd, of the city of Montreal, and other references, with power to report by Bill or otherwise, and from time to time, presented to the House, the second Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee, after a careful examination of the claim of Peter Anderton, of the Eastern district, and of the evidence relative thereto, are of opinion that the prayer of his Petition should be granted.

Evidence of J. B. MILLS, Esquire.

There is an item for the excavation of section No. 11, for a five feet boom, as per Colonel Philpott's letter of the 6th July, 1839, which was paid for at fivepence per cubic yard, upon which Mr. Anderton claims sevenpence farthing, or the contract price, equal to twopence farthing more upon the appropriate number of yards. If there were no agreement

for a modified price for the said work, and no compensating circumstances connected therewith, I do not see the reason of the said deduction, and I am inclined to the belief, that the same principle should apply to the rejected earth lying in the bottom of the canal, upon the completion of the Puddle Trench, (say three hundred yards.)

Report on  
Statements  
from Chartered  
Banks.

Mr. Thompson, from the Special Committee, to which were referred all the Statements furnished by the Chartered Banks and Insurance Offices of this Province, pursuant to the Order of this

House of the 10th January last, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Your Committee having been deeply impressed with the importance of satisfying themselves, that the Institutions in question are in a sound and healthy condition, controlling, as they do, about £3,000,000, the greater of the circulating medium of the Province,--they have examined with great care the several Statements rendered by them, and are fully satisfied of their perfect solvency. Your Committee find that those Chartered Institutions within the limits of Upper Canada, are required by Law to make their annual Returns to the Legislature under oath, while those in Lower Canada are exempt from this provision; your Committee conceive that all the Banking and Insurance Companies in the Province should be placed on the same footing in this respect, and therefore recommend the passing of an Act to require such of these Institutions as are within the limits of Lower Canada, to make their annual Returns to the three branches of the Legislature under oath.

Ordered, That the said Report be printed for the use of the Members of this House.

A. M'Leod.

Mr. Dickson, from the Select Committee appointed to draw up and report the draught of an humble Address to Her Majesty, in accordance with the Resolution of the Committee of the whole House, on the subject of the Petition of Alexander M'Leod, of the township of Stamford, in the district of Niagara, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Your Committee have prepared, in obedience to the order of your Honourable House, the draught of an Address to Her Majesty; which they have the honour to report herewith:--

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons of Canada, in Provincial Parliament assembled, humbly beg leave to approach Your Majesty in behalf of Your Majesty's faithful subject, Alexander M'Leod, now residing in the township of Stanford, in the Niagara district of this Province, and to submit to Your Majesty's favourable consideration, the result of a strict investigation into the circumstances connected with his case, by a Special Committee of this House.

(404)

We would also, in thus recommending to the favourable consideration of Your Majesty, and of Your Majesty's Government, the said Alexander M'Leod, beg leave, most respectfully, to express to Your Majesty our firm conviction that he had been deeply injured in his pecuniary circumstances, by the treatment he received from the Government of the neighbouring States, the occasion of which arose, alone, from his loyal conduct in assisting to uphold and retain, in a time of peril, the rightful authority of Your Majesty, in this portion of Your Majesty's dominions.

Ordered, That the said Address be engrossed.

Resolved, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency that this House hath voted an Address to Her Majesty, relative to the imprisonment of Alexander M'Leod by the authorities of the United States, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be engrossed.

On motion of Mr. Scott, seconded by Mr. Taché,

Montreal  
College of  
Medicine.

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to incorporate the Montreal College of Medicine and Surgery," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read and are as followeth:--

Press 1, Line 45.--Leave out "College" and insert "School."

" 2, " 24.--Leave out from "that" to "Corporation" in the 37th line both inclusively, and insert "that the said Corporation shall yearly and every year, cause to

be delivered, at least, one hundred and twenty Lectures of at least one hour each, in the English Language, and the like number, of the same duration, in the French Language, on the following branches of Medical Science, to wit:--Anatomy and Physiology, Chemistry and Pharmacy, Material Medica, Theory and Practice of Physic and Principles and Practice of Surgery and Midwifery, and diseases of women and children, to be given by competent Lecturers at some place in the city of Montreal, between the first day of October and the last day of April."

Press 3, Line 1.--Leave out "College," and insert "School."

" 3, " 2.--Leave out from "and the fee," to "shall," in the 5th line, both inclusively, and insert "to."

" 3, " 24.--Leave out "and examination."

" 3, " 29.--Leave out "qualification," and insert "attendance."

" 3, " 33 and 34.--Leave out "duly qualified to practice, and having, if they shall deem necessary," and insert "having attended such lectures, and having."

" 3, " 35.--Leave out "and."

" 3, " 37.--Leave out from "Provided" to "qualification," in Press 4, Line 10, both inclusively.

" 4, " 22.--Leave out "no member," and insert "each and every member."

" 4, " 30.--Leave out "College," and insert "School."

Title.--Leave out "College," and insert "School."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Scott do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Mrs. J. Roy.                      Ordered, That the Report of the Select Committee, to which was referred the Petition of Mrs.



Jennet Roy, widow of the late Thomas Roy, Civil Engineer, of the city of Toronto, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee,

Mr. Macdonald, of Kingston, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. Macdonald, of Kingston, reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

On motion of the Honourable Mr. Robinson, seconded by the Honourable Mr. Attorney General Draper,

Duties on Stills.      Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing an Act of the present Session relative to the Duties on Stills, and to make further provision on the same subject.

The House accordingly resolved itself into the said Committee.

Mr. Colville took the chair of the Committee,

M. ROBINSON dit que le bill avait créé une grande confusion, les officiers de l'accise ne sachant comment appliquer le droit, et il proposait en conséquence de rappeler l'acte, et de créditer ceux qui avaient payé le droit d'autant sur de nouvelles licences pour l'année.<sup>1</sup>

La résolution fut adoptée en comité<sup>2</sup>.

(404)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Colville reported that the Committee had come to a Resolution which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

On motion of Mr. Merritt, seconded by Mr. Roblin,

Trinity House,  
Quebec.

Ordered, That the Accounts of the Corporation of the Trinity House of Quebec, received in conformity to the 20th section of the Act 4 and 5 Victoria, chapter 15, and laid before the House on the 11th December, 1844, and 20th January, 1845, be referred to the Select Committee appointed to inquire into the nature and extent of the restrictions which exist on the Commerce of Canada, in passing from the interior to or from the Mother Country, our sister Colonies, or Foreign parts, by the River St. Lawrence.

(405)

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Daly,

Foreign Ship-  
ping, Inland  
Waters.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of addressing the three Branches of the Parliament of the United Kingdom, for the repeal of that provision of the 31st Clause of the Imperial Act 3 and 4 William IV., chapter 59, which authorizes the importation of certain goods in foreign vessels on the Inland Waters of this Province, and for the extension of the Registry Laws of the United Kingdom to British vessels, employed on the said waters.

The House accordingly resolved itself into the said Committee.

Mr. Sherwood, of Brockville, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Sherwood, of Brockville, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

1. Resolved, That the increased importance of the interests of owners of ships and vessels navigating the inland waters of this Province, require that the same protection and privileges be extended to vessels so employed, as are enjoyed by British vessels in all other parts of Her Majesty's Dominions.
2. Resolved, That the provision of the 31st section of the Act passed in the 3rd and 4th years of the reign of His late Majesty, William IV., which permits goods, the produce of foreign countries, to be brought or imported by inland navigation from any adjoining foreign country in foreign vessels or boats, as well as in British vessels or boats, is no longer necessary or advantageous for the interests of this Province, and that the repeal of that part of the clause in question which contains the aforesaid provision, would tend

greatly to advance the prosperity of the inland trade of this Province.

3. Resolved, That the extension of the Acts passed in the 3rd and 4th years of the reign of His late Majesty, William IV., intituled respectively, "An Act for the Registering of British Vessels," and "An Act for the encouragement of British Shipping and Navigation," to vessels built and owned in this Province, employed in navigating the inland waters, would, by securing to Her Majesty's subjects in this Province, owning vessels so employed, the valuable privileges and advantages enjoyed by British vessels in order portions of Her Majesty's Dominions, greatly tend to the encouragement of British shipping and navigation, and the commercial interests of this Province.
4. Resolved, That many persons of foreign birth, having emigrated to this Province at an early period, and taken up their permanent residence here, under the encouragement held out to them by the Government, have become naturalized subjects of Her Majesty, under, and by virtue of various Acts of the Provincial Parliament of this Province, as well as of Acts of the Provincial Parliament of the late Provinces of Lower and Upper Canada, respectively, while others are now in process of becoming naturalized under the said Acts, and it is probable that in the course of the settling of the country, others may hereafter acquire the rights of naturalization, by virtue of Acts of the Provincial Parliament to be hereafter passed for that purpose.
5. Resolved, That the privileges of naturalization thus obtained, availing the parties only within the limits within which the Jurisdiction of the Provincial Parliament in this particular extends, it is highly desirable that in any amendment of the said Act of the Imperial Parliament, 3rd and 4th William IV., chapter 59, with a view to give effect to the object in the foregoing Resolutions, a provision should be made, by which all the rights of natural born British subjects, as respects Trade, Shipping, and Navigation, and the ownership of goods and shipping engaged, or to be engaged in the same, should be conferred by Imperial Legislation, upon all such persons as already have, or hereafter may become naturalized, by, or under the authority of any such Provincial Acts, passed, or to be passed as aforesaid, so far at least as respects the coasting trade and fisheries of the Province itself, and the direct trade between it and the Mother Country, our Sister Colonies, and Foreign Nations.

Resolved, That a Select Committee, composed of the Honourable Mr. Attorney General Smith, the Honourable Mr. Baldwin, the Honourable Mr. Attorney General Draper, Mr. Leslie, and the Honourable Mr. Moffatt, be appointed to prepare and report the draughts of humble

*Petitions to Her Majesty and both Houses of the Imperial Parliament, in conformity to the said Resolutions.*

Petition to  
Her Majesty  
and the two  
Houses of the  
Imperial  
Parliament.

The Honourable Mr. Attorney General Smith, from the Select Committee appointed to prepare and report the draughts of humble Petitions to Her Majesty, and both Houses of the Imperial Parliament, in conformity to the Resolutions of the Committee of the whole House, to consider the expediency of addressing the three Branches of the Parliament of the United Kingdom, for the repeal of that provision of the 31st clause of the Imperial Act 3 and 4, William IV. chapter 59, which authorizes the importation of certain goods in foreign vessels on the inland waters of this Province, and for the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters, presented to the House the Petitions prepared by the said Committee, which Petitions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

To the Queen's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled, beg leave humbly to approach your Majesty, and to represent:

That the increased importance of the interests of owners of ships and vessels navigating the inland waters of this Province, require that the same protection and privileges be extended to vessels so employed, as are enjoyed by British vessels in all other parts of Your Majesty's dominions.

That the provision of the thirty-first section of the Act passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, which permits goods, the produce of foreign countries, to be brought or imported by inland navigation from any adjoining foreign country in foreign vessels or boats, as well as in British vessels or boats, is no longer necessary or advantageous for the interests of this

(406)

Province; and that the repeal of that part of the clause in question, which contains the aforesaid provision, would tend greatly to advance the prosperity of the inland trade of this Province.

That the extension of the Acts passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, intituled respectively, "An Act for the registering of British Vessels," and "An Act for the encouragement of British Shipping and Navigation," to vessels



built and owned in this Province, employed in navigating the inland waters, would, by securing to Your Majesty's subjects in this Province, owning vessels so employed, the valuable privileges and advantages enjoyed by British vessels in other portions of your Majesty's dominions, greatly tend to the encouragement of British shipping and navigation, and the commercial interests of this Province.

That many persons of foreign birth having emigrated to this Province at an early period, and taken up their permanent residence here, under the encouragement held out to them by the Government, have become naturalized subjects of Your Majesty, under, and by virtue of various Acts of the Provincial Parliament of this Province, as well as of Acts of the Provincial Parliament of the late Provinces of Lower and Upper Canada respectively, while others are now in process of becoming naturalized under the said Acts; and it is probable that, in the course of the settling of the country, others may hereafter acquire the rights of naturalization by virtue of Acts of the Provincial Parliament, to be hereafter passed for that purpose.

That the privileges of naturalization thus obtained, availing the parties only within the limits within which the jurisdiction of the Provincial Parliament in this particular extends; it is highly desirable that in any amendment of this said Act of the Imperial Parliament, passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, with a view to give effect to the object hereinbefore referred to; a provision should be made, by which all the rights of natural born British subjects, as respects trade, shipping, and navigation, and the ownership of goods and shipping engaged, or to be engaged in the same, should be conferred by Imperial Legislation upon all such persons as already have been, or hereafter may become naturalized by, or under the authority of any of such Provincial Acts passed, or to be passed as aforesaid, so far at least as respects the coasting trade and fisheries of this Province itself, and the direct trade between it and the Mother Country, and Sister Colonies, and Foreign relations.

---

To the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

The Petition of the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled:

HUMBLY SHEWETH:--

That the increased importance of the interests of owners of ships and vessels navigating the inland waters of this Province, require that the same protection and privileges be extended to vessels so employed,

as are enjoyed by British vessels in all other parts of Her Majesty's dominions.

That the provisions of the thirty-first section of the Act passed in the third and fourth years of the reign of his late Majesty, King William the Fourth, which permits goods, the produce of foreign countries, to be brought or imported by inland navigation from any adjoining foreign country in foreign vessels or boats, as well as in British vessels or boats, is no longer necessary or advantageous for the interests of this Province, and that the repeal of that part of the clause in question which contains the aforesaid provision, would tend greatly to advance the prosperity of the inland trade of this Province.

That the extension of the Acts passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, intituled, respectively, "An Act for the registering of British Vessels," and "An Act for the encouragement of British Shipping and Navigation," to vessels built and owned in this Province, employed in navigating the inland waters, would, by securing to Her Majesty's subjects in this Province, owning vessels so employed, the valuable privileges and advantages enjoyed by British vessels in other portions of Her Majesty's dominions, greatly tend to the encouragement of British shipping and navigation, and the commercial interests of this Province.

That many persons of foreign birth have emigrated to this Province at an early period, and taken up their permanent residence here, under the encouragement held out to them by the Government; have become naturalized subjects of Her Majesty, under and by virtue of various Acts of the Provincial Parliament of this Province, as well as of Acts of the Provincial Parliament of the late Provinces of Lower and Upper Canada respectively, while others are now in process of becoming naturalized under the said Acts; and it is probable that, in the course of the settling of the country, others may hereafter acquire the rights of naturalization by virtue of the Acts of the Provincial Parliament, to be hereafter passed for that purpose.

That the privileges of naturalization thus obtained, availing the parties only within the limits within which the jurisdiction of the Provincial Parliament in this particular extends, it is highly desirable, that in any amendment of the said Act of the Imperial Parliament, passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, with a view to give effect to the object hereinbefore referred to, a provision should be made, by which all the rights of natural born British subjects, as respects Trade, Shipping, and Navigation, and the ownership of goods and shipping engaged, or to be engaged in the same, should be conferred by Imperial Legislation upon all such persons as already have been, or hereafter may become naturalized, by, or under, the authority of any of such Provincial Acts passed, or to be

passed as aforesaid; so far at least as respects the coasting trade and fisheries of this Province itself, and the direct trade between it and the Mother Country, our Sister Colonies, and Foreign relations.

---

To the Honourable the Knights, Citizens, and Burgesses, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The Petition of the Legislative Assembly of the Province of Canada, in Provincial Parliament Assembled:

HUMBLY SHEWETH:--

That the increased importance of the interests of owners of Ships and Vessels navigating the inland waters of this Province, require that the same protection and privileges be extended to a vessel so

(407)

employed, as are enjoyed by British Vessels in all other parts of Her Majesty's dominions.

That the provision of the thirty-first Section of the Act passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, which permits goods, the produce of Foreign Countries, to be brought or imported by inland Navigation from any adjoining foreign country in foreign vessels or boats as well as in British Vessels or Boats, is no longer necessary or advantageous for the interests of this Province, and that the repeal of that part of the clause in question which contains the aforesaid provision, would tend greatly to advance the prosperity of the inland trade of this Province.

That the extension of the Acts passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, intituled, respectively, "An Act for the registering of British Vessels," and "An Act for the encouragement of British Shipping and Navigation" to vessels built and owned in this Province employed in navigating the inland waters, would, by securing to Her Majesty's subjects in this Province owning vessels so employed, the valuable privileges and advantages enjoyed by British vessels in other portions of Her Majesty's dominions, greatly tend to the encouragement of British shipping and navigation, and the commercial interests of this Province.

That many persons of foreign birth having emigrated to this Province at an early period, and taken up their permanent residence here, under the encouragement held out to them by the Government, have become naturalized subjects of Her Majesty under, and by virtue of various Acts of



the Provincial Parliament of this Province, as well as of Acts of the Provincial Parliament of the late Provinces of Lower and Upper Canada, respectively, while others are now in process of becoming naturalized under the said Acts; and it is probable that, in the course of the settling of the country, others may hereafter acquire the rights of naturalization by virtue of Acts of the Provincial Parliament, to be hereafter passed for that purpose.

That the privileges of naturalization thus obtained, availing the parties only within the limits within which the jurisdiction of the Provincial Parliament in this particular extends; it is highly desirable that, in any amendment of the said Act of the Imperial Parliament, passed in the third and fourth years of the reign of His late Majesty, King William the Fourth, with a view to give effect to the object hereinbefore referred to, a provision should be made, by which all the rights of natural born British subjects, as respects trade, shipping, and navigation, and the ownership of goods and shipping engaged, or to be engaged in the same, should be conferred by Imperial Legislation upon all such persons as already have been, or hereafter may become, naturalized by, or under the authority of any of such Provincial Acts passed, or to be passed, as aforesaid, so far at least as respects the coasting trade and fisheries of this Province itself, and the direct trade between it and the Mother Country, our Sister Colonies, and foreign relations.

Ordered, That the said Petitions be engrossed.

Resolved, That the said Petitions to Her Majesty, and both Houses of the Imperial Parliament, be communicated to the Honourable the Legislative Council, by Message, requesting the concurrence of their Honours thereto.

Ordered, That the Honourable Mr. Attorney General Smith, do carry the said Message.

Complaints  
against the  
Board of Works.

Mr. Dunlop moved, seconded by Mr. Armstrong, That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to appoint a Commission to enquire into all matter of complaint against the Board of Works, both as to such Public Works as they themselves have initiated, and such as they have assumed from Commissioners; with power to send for persons, papers, and records; to summon witnesses, and examine them on oath; and to report from time to time to His Excellency, the Governor General, in Council.<sup>3</sup>

The Hon. gentleman ((DR. DUNLOP)) read, from a report of the Committee upon the Chambly Canal, several charges against the Board. One was, that Mr. Begley, the Secretary, had written a letter to Mr. Crawford, the Contractor, informing him that his tender for certain locks had been



underbid, and that he had better hasten to the office in Kingston that he might not lose them. That in consequence of this letter, Mr. Crawford went to Kingston and obtained five out of nine locks, at an increase of seven shillings and sixpence over the contract of a Mr. Black for the same. Mr. Black had deposed that he had made money by his contract at the lower rate, and, therefore, Mr. Crawford must have made a proportionately greater sum. Moreover Mr. Crawford had to blast stone in excavating for the locks, for which he was paid so much per yard, besides having the advantage of that stone for his work; while the other contractors had to bring their stone a distance of three miles, and, in the end, found it cheaper to purchase of Mr. Crawford the stone which the Board paid him for blasting.

"It's a very good thing to be father-in-law

To a very magnificent three-tailed Bashaw."

Said the Hon. gentleman, and the reason why Mr. Crawford received so much favour might be found in the fact, that Mr. Keefer, the Chief Engineer of the Board, had married his daughter. There was another case in which a Mr. Munroe had to build a wall round the Government House at Kingston, and, upon going to receive his money, he had to fill up a receipt for a considerably greater amount than his bill. His account was paid to him, and he was told by an officer of the Board that the remainder was for the travelling expenses of Mr. Keefer.<sup>4</sup>

MR. CAMERON opposed the motion, the statements which had been made to the Committee were exparte statements, and the other side had not yet been heard.<sup>5</sup>

MR. ATTORNEY GENERAL DRAPER defended the Board at some length; he considered it altogether unjustifiable that the charges contained in the Report brought up by the Member for Huron, should be placed upon the Journals of the House, without the persons accused having had an opportunity of explaining or defending their conduct. Mr. Killaly had accidentally heard of one of these charges, and had furnished him with such explanation as would convince Hon. gentlemen how much dependence could be placed upon the exparte evidence of the parties before the Committee. The Hon. gentleman here read an official letter from Mr. Keefer to Mr. Crawford, informing him that his tender had been underbid, and requesting him to come to Kingston, to throw something off his contract, and he would receive the work in preference to the other Contractors (sic), who were Americans.<sup>6</sup>

(407)

Ordered, That the farther consideration of the said motion, be postponed till the afternoon Sitting of the House, this day.

Then, the House adjourned, until three o'clock, P.M., this day.

3 O'Clock, P.M.

*According to Order, the House resumed the consideration of the motion made this day, "That an humble Address be presented to His Excellency, the Governor General, praying His Excellency to appoint a Commission to enquire into all matter of complaint against the Board of Works, both as to such Public Works as they themselves have initiated, and such as they have assumed from Commissioners; with power to send for persons, papers, and records; to summon witnesses, and examine them on oath; and to report from time to time to His Excellency, the Governor General, in Council."*

MR. DRAPER resumed his defence of the conduct of the Board, entering into a variety of details of little interest to others than the parties interested. The Hon. gentleman gave a direct contradiction to Mr. Munroe's statement, which was proved to be false by the receipt he had given, and by the cheque upon the Bank of Montreal, with which he was paid.<sup>7</sup>

MR. BERTHELOT opposed the investigation.<sup>8</sup>

MR. GOWAN in a long ... speech, called upon the Government as a duty it owed to the country, as a duty to the Beard (sic) of Works - to make the investigation called for.<sup>9</sup>

MR. ROBINSON was opposed to the investigation now asked for as altogether impracticable. If specific charges were made it would be another matter. If the Board refused to redress parties, their course was to petition His Excellency in Council. Some of the charges made against the Board, he himself intended to take up after the Session and bring them in this manner before the Government, whom he would then hold responsible for them. The accounts of the Board of Works had not been examined for several years; had he remained in office it was his intention to have gone through them after the Session.<sup>10</sup>

MESSRS. MERRITT, MOFFATT and WILLIAMS were opposed to the motion, but thought that the Government ought to take some steps to enquire into the department, and put an end to these repeated complaints.<sup>11</sup>

(407)

*And the said motion being again read, Mr. Boulton moved, in amendment, seconded by Mr. Macdonald, of Kingston, that all the words after the word "enquire," in the said motion, be struck out, and the following substituted: "into the manner in which the Public Money is, and has been, expended under the Board of Works, and whether any improvement can be made in the constitution of that Board."*

MR. SHERWOOD was opposed to the motion and amendment, because it went to take from the Executive Council the responsibility which they

should bear for the acts of the Board, and place it on an independant (sic) body.<sup>12</sup>

MR. COLVILLE said, that had the charges which had been brought against the President of the Board of Works, had been made against himself, he could not have laid his head upon his pillow until there had been a full enquiry into their truth or falsehood. Those charges, if true, were sufficient not only to expel that officer from the Board, but also from the society of gentlemen. For his own part he could not believe those charges; but the best friends of the Administration and of the Board desired that there should be an enquiry, and he would vote for it.<sup>13</sup>

(407)

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Boulton, Chalmers, Colville, Drummond, Duggan, Dunlop, Ermatinger, Gowan, Hall, Jessup, Johnston, Lacoste, Lantier, Macdonald of KINGSTON, Scott, and Sherwood of BROCKVILLE--(18.)

NAYS.

Baldwin, Berthelot, Bertrand, Cameron, Cauchon, Chauveau, Christie, DeBleury, Descaulier, Attorney General Draper, Foster, Greive, Hale, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonnell of DUNDAS, Macdonell of STORMONT, Merritt, Mothet, Meyers, Moffatt, Morin, Papineau, Petrie, Price, Riddell, Roblin, Rousseau, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, and Williams.--(40.)

So it passed in the negative.

The question being then put on the main motion,<sup>14</sup> the House divided thereon, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Chalmers, Colville, Duggan, Dunlop, Gowan, Hall, Jessup, Johnston, Lacoste, and Lantier--(11.)

NAYS.

Aylwin, Baldwin, Berthelot, Bertrand, Cameron, Cauchon, Chauveau,

Christie, DeBleury, Attorney General Draper, Ermatinger, Greive, Hale, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonald

(408)

of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, Merritt, Méthot, Meyers, Moffatt, Morin, Murney, Papineau, Petrie, Price, Riddell, Robinson, Roblin, Rousseau, Scott, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Thompson, Webster, and Williams--  
(45.)

So it passed in the negative.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly:--

Winter Roads.

"An Act further to amend the Laws relative to Winter Roads in Lower Canada."

Civil and Political Rights.

"An Act to amend an Act passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled 'An Act to secure to, and confer upon certain inhabitants of this Province, the Civil and Political Rights of natural born British subjects, and to make further provision regarding aliens.'"

And then he withdrew.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

LEGISLATIVE COUNCIL,  
Wednesday, 26th March, 1845.

Culling and Measurement of Timber.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council hath agreed to their amendment made to the amendments of this House to the Bill, intituled, "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned," without any amendment.



Attest,

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And then he withdrew.

Damages, St.  
Lawrence  
Canal.

Ordered, That two hundred and fifty copies of the Return to an Address of this House to His Excellency, the Governor General, relating to the claims of the inhabitants of the county of Dundas, for damages occasioned by the St. Lawrence Canal, laid before this House, on the eighteenth instant, be printed in each of the English and French Languages, for the use of the Members of this House.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Attorney General Smith,

Counsel on  
Quieting of  
Titles of Lands  
Lower Canada.

Resolved, That the Honourable Thomas Cushing Aylwin, a Member of this House, have leave to appear as Counsel at the Bar of the Honourable the Legislative Council, to support the Bill, intituled, "An Act to quiet the title to Lands of persons naturalized under the Statute of Lower Canada, passed in the first year of the reign of His late Majesty, King William the Fourth, and for other purposes therein mentioned."

Elementary  
Instruction,  
Lower Canada.

Mr. Cauchon, from the Committee of the whole House on the Bill to make better provision for Elementary Instruction in Lower Canada, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Municipal  
Authorities  
Lower Canada.

Mr. Nelson, from the Committee of the whole House on the Bill to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local or Municipal Authorities in Lower Canada, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Private Stock,  
Welland Canal.

Mr. Price, from the Committee of the whole House on the Message of His Excellency, the

Governor General, respecting the Debentures for buying up the Stock held by private individuals in the Welland Canal, presented to this House on the tenth of February last, reported, according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and is as followeth:--

Resolved, That it is the opinion of this Committee, that it is expedient to authorize the issue of Debentures for the sum of two thousand seven hundred and seventy-nine pounds, eighteen shillings and nine-pence, currency, for the full purchase of the Stock held by private Shareholders in the Welland Canal, on the same terms and conditions as those already authorized by law.

The Honourable Mr. Attorney General Draper moved, seconded by the Honourable Mr. Attorney General Smith, that this House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Boulton, Chalmers, Daly, DeBleury, Duggan, Dunlop, Attorney General Draper, Foster, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Meyers, Moffatt, Papineau, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Watts and Webster--(33.)

NAYS.

Aylwin, Berthelot, Bertrand, Cameron, Cauchon, Chauveau, Christie, Desaunier, DeWitt, Guillet, Johnston, LaFontaine, Laterrière, Laurin, LeMoine, Macdonell of STORMONT, Méthot, Morin, Price, Scott, and Taché--(21.)

So it was carried in the affirmative, and

Resolved, accordingly.

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to amend the Act for purchasing the Stock in the Welland Canal, held by private Shareholders.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

(409)

Montreal  
Harbour.

The Order of the Day for the House in Committee on the Bill to provide for the improvement and enlargement of the Harbour of Montreal; to authorize the Commissioners to borrow a further sum of money for that purpose; to consolidate the Laws now in force relating to the same; and for other purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

Mr. Macdonell, of Dundas, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonell reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to morrow.

Expenses of  
Civil Government.

The Order of the Day for the second reading of the Bill to make provision for defraying certain expenses of the Civil Government of this Province, for the year one thousand eight hundred and forty-five, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cauchon took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cauchon reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Ordinance  
Estates.

The Order of the Day for the House in Committee, on the Bill to explain and amend part of an Act passed in the seventh year of Her Majesty's reign, intituled, "An Act for vesting in the principal officers of Her Majesty's Ordinance, the estates and property therein described, for granting certain powers to the said officers, and for other purposes therein mentioned," being read,

The House accordingly resolved itself into the said Committee.

Mr. Laterrière took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Laterrière reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Supply.

The Order of the Day for the House in Committee, to consider the Supply granted to Her Majesty, being read,

Ordered, That the said Order of the Day be postponed until to-morrow.

Petition of  
R.G. Belleau  
and others.

The Order of the Day for the House in Committee, on the Report of the Select Committee, to which was referred the Petition of R. G. Belleau and others, inhabitants and tenants in the county of Quebec, and other references, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Robinson took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. Robinson reported, that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

The Honourable Mr. DeBleury moved, seconded by the Honourable Mr. Moffatt,

Montreal  
Incorporation.

That the Order of the Day for the second reading of the Bill, to amend and consolidate the provisions of the "Ordinance, to incorporate the city and town of Montreal," and of a certain Ordinance amending that Ordinance, and to vest certain other powers in the Corporation, created by the said first mentioned Ordinance, be now read.



The question having been put on the said motion, a division ensued, and it passed in the negative.

Municipal  
Districts,  
Lower Canada.

The Order of the Day for the second reading of the Bill, for ascertaining the liabilities of the several Municipal districts in Lower Canada, and their means of discharging the same, being

read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Seymour took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Seymour reported, that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Crown, Clergy  
and School Lands.

The Order of the Day for the House in Committee, on the Report of the Select Committee, appointed to enquire into the present method of disposing

of the Crown, Clergy, and School Lands; the amount collected and paid from year to year into the Public Revenue, or any other fund, from the proceeds thereof; expenses attending the same, and from what fund paid, including the receipt and expenditure of the Territorial Revenue, with an instruction to the said Committee, being read,

The House accordingly resolved itself into the said Committee,

Mr. M'Connell took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Great Western  
Railroad Company.

The Order of the Day for the second reading of the Bill, to revive certain provisions of the Act incorporating the "Great Western Railroad

Company," and to enable them to carry on that work, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonald, of Kingston, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonald reported, that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

(410)

Registration  
of Titles,  
Lower Canada.

The Order of the Day for the House in Committee on the Bill to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles to, and Incumbrances upon, Real Property in Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cameron took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cameron reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Taxes on Lands  
Upper Canada.

The Order of the Day for the House in Committee on the Bill to remove all doubts as to the liability of certain Lands in Upper Canada to be charged with Local Taxes, being read,

The House accordingly resolved itself into the said Committee.

Mr. Smith, of Frontenac, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. Smith reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Roads approach-  
ing the City  
of Montreal.

The Order of the Day for the House in Committee on the third Report of the Select Committee to which was referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; the Petition of the Reverend Antoine Duransaux and others, inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Brunet, and others of Ste. Anne, Pointe Claire, and other parishes; and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cummings took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cummings reported that the Committee had come to several Resolutions; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

1. Resolved, That it is expedient to amend the Ordinances which provide for the improvement of the roads in the neighbourhood of, and leading to the city of Montreal, by providing that the Toll-gates thereon be annually let by auction to the highest bidder; and that the repairs on the said roads be annually given out to public competition.
2. Resolved, That it is expedient to repeal so much of the Act of the Parliament of Lower Canada, of the 36 George III., cap. 9, as requires the occupiers of lands adjoining the several macadamized roads, to perform Statute labour thereon.

Montreal  
Turnpike  
Roads.

Ordered, That Mr. Laurin have leave to bring in a Bill to oblige the Trustees of the Montreal turnpike roads to lease the Tolls thereon; and to exempt the owners of lands lying on such roads from performing Statute labour thereon.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, to-morrow.

Quebec For-  
warding  
Company.

The Order of the Day for the second reading of the Bill to incorporate the Quebec Forwarding Company, being read,

The said Bill was read accordingly.

Evangelical  
Association.

The Order of the Day for the second reading of the Bill to extend the benefit of a certain Act of Upper Canada, therein mentioned, to the Clergyman or Minister of the Evangelical Association, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Boulton took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Boulton reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Petition of  
N. H. Baird.

The Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the Petition of N. H. Baird, Civil Engineer, being read,

The House accordingly resolved itself into the said Committee,

Mr. Thompson took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Thompson reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Aprons to  
Mill Dams.

The Order of the Day for the second reading of the Bill to provide more effectually for the construction of Aprons to Mill Dams on streams in Upper Canada, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Roblin took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,



And Mr. Roblin reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Limitation  
Law Suits.

The Order of the Day for the House in Committee on the Bill for the limitation of Actions; for avoiding Suits at Law; and for rendering a written Memorandum necessary to the validity of certain promises and engagements, in that part of the Province which heretofore constituted the Province of Lower Canada, being read,

The House accordingly resolved itself into the said Committee.

(411)

Mr. Dunlop took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dunlop reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Chambly  
Canal.

The Order of the Day for the House in Committee on the First Report of the Special Committee appointed to inquire into all matters and things connected with the management and collection of Dues on the Chambly Canal, being read,

The House accordingly resolved itself into the said Committee.

Mr. Hall took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hall reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Kingston  
Incorporation.

The Order of the Day for the second reading of the Bill to amend an Act, passed in the first

*year of Her Majesty's reign, intituled, "An Act to Incorporate the Town of Kingston, under the name of the Mayor and Common Council of the Town of Kingston," being read,*

*Mr. Macdonald, of Kingston, moved, seconded by Mr. Boulton, that the said Bill be now read a second time.*<sup>15</sup>

He ((MR. JOHN ALEXANDER MACDONALD)) acknowledged that lot 24 was opposed to the Bill, because its population at present enjoys all the<sup>16</sup> benefits of the city improvements,<sup>17</sup> arising from an incorporation,<sup>18</sup> without paying anything towards its expenses, or without the City Authorities having any control over it.<sup>19</sup> But the only opposition he expected to receive within the House was from the Hon. member for Frontenac.<sup>20</sup>

MR. ((HENRY)) SMITH, Frontenac, opposed the Bill<sup>21</sup>. He had laid on the table a petition signed by four hundred and seventy-six individuals against the Bill, and the hon. member might well say that lot 24 was opposed to it, for the object of the Town's people was nothing more than to force their neighbors to pay a share of their enormous debt. They would not listen to his advice, although an inhabitant of the town, but plunged themselves head and ears in debt, by building an enormous Town Hall, which had increased their debt to £25,000, and now they want to force the people of lot 24 to concur in this act of the incorporation, to enable them to pay it off, although he had himself presented a second petition against the bill, signed by upwards of 700 persons, the very first name being that of Dr. Sampson, a gentleman who has been twice Mayor of the town. But the Corporation, from whom this bill had emanated, have been guilty of the most extraordinary conduct; he felt confident that, excepting his hon. friend who had introduced the bill, not one of them would be again elected if they went to the people. He would give one instance<sup>22</sup>. An alderman of the town had put a young man named Powell into the police ((as an officer))<sup>23</sup>. Powell ... was put in gaol during Sir C. Bagot's administration,<sup>24</sup> a verdict was given against him by which a<sup>25</sup> £100<sup>26</sup> fine was imposed. The Corporation desired to pay this fine contrary to the opinion of the Solicitor General, and they had passed a By-Law to that effect. The Bill, while it drew in those who were unwilling to be thus incorporated, absolutely deprived them of representation in the council, for it provided that none should vote who had not been registered inhabitants three months, and as the people in Lot 24 had never been registered, they could not vote. The whole intention of the Bill was to draw in these people who had taken no part in incurring the debt, and impose a burden upon them they had no right to bear. The Commercial Bank of which the member for Kingston was a director and the Solicitor had foolishly guaranteed the interest upon the debt, and they now sought this additional security.<sup>27</sup> In conclusion, as he could not assent to the bill, he moved that it be read a second time the day six months.<sup>28</sup>

(411)

*Mr. Smith, of Frontenac, moved, in amendment, seconded by Mr. Seymour, that the word "now," in the said motion, be struck out, and the words "this day six months" substituted*

MR. ((J.A.)) MACDONALD replied that the object set forth by his hon. friend, as that which influenced the Corporation to ask for the passing of this bill was not correct. The fact is, that lot 24, although forming part of the town, yet is free from all the restraints of a town, and is consequently<sup>29</sup> the refuge of disorderly persons,<sup>30</sup> the scene of nightly riot,<sup>31</sup> and the police were not able to go in to suppress disturbances. It was not the intention of the Bill to impose the burthen of the debt upon it, but he would insert a clause deducting from the assessment upon Lot 24, one fourth.<sup>32</sup> With regard to the town debt, he would remark, that although the Town Hall is not yet half occupied, yet it pays, in conjunction with the market tolls, £2000 a year, besides the taxes; thus paying off the interest, and forming a sinking fund to pay off the debt, which he has no fears will be accomplished.<sup>33</sup>

MR. JOHNSTON opposed the Bill. Lot 24 had derived no advantage from the money laid out.<sup>34</sup>

MR. ROBLIN was in favour of the Bill; he considered that Lot 24 ought to be within the town. It was inhabited by mechanics and carters who got their living in the town, and derived all the advantages of its improvements. It was shown that the inhabitants of this lot would not be taxed for the debt, and that the Market Hall would pay the interest and principal of the cost of its erection.<sup>35</sup>

MR. ERMATINGER supported the Bill.<sup>36</sup>

MR. SEYMOUR opposed the Bill. He was inclined to think that it was the Corporation of Kingston alone who desired the alteration. He suggested that the Bill should be withdrawn until next Session.<sup>37</sup>

(411)

*The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*Armstrong, Boutillier, Christie, DeWitt, Dickson, Duggan, Dunlop, Jessup, Johnston, Laterrière, Méthot, Moffatt, Seymour, Smith of FRON-  
TENAC, Stewart of BYTOWN, Taché, and Webster--(17.)*

NAYS.

Baldwin, Berthelot, Boulton, Cameron, Chalmers, Chauveau, Cummings,  
Attorney General Draper, Ermatinger, Foster, Greive, Guillet, Hale,  
LaFontaine, Lantier, Laurin, Leslie, Macdonald of KINGSTON, Macdonell  
of STORMONT, Meyers, Morin, Petrie, Price, Robinson, Roblin, Thompson,  
and Williams--(27.)

*So it passed in the negative.*

*The question being then put on the main motion, it was agreed to by the House, and*

*The said Bill was accordingly read,*

MR. ((JOHN ALEXANDER)) MACDONALD moved the House into Committee.<sup>38</sup>

MR. ((HENRY)) SMITH of Frontenac, moved that ... it be referred to a select Committee to report thereon. He said that he should be obliged to make many alterations in the clauses, particularly that which cuts up Lot 24 into several parts, and destroys its influence in the Representation of the Town. He alluded to the Bill also as being in part a repeal of the Act passed this Session defining the boundaries of counties.<sup>39</sup>

(411)

*and ((the Bill was)) committed to a Committee of the whole House.*

*Mr. Hall took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Hall reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

Board of  
Trade,  
Montreal.

*The Order of the Day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to render permanent two certain Acts therein mentioned, incorporating the Boards of Trade of Montreal and Quebec," being read,*

*The said Bill was accordingly read for the second time.*

*Ordered, That the said Bill be now read for the third time.*



The said Bill was accordingly read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, without any amendment.

Commutation  
of Tenure.

The Order of the Day for the second reading of the Bill to empower any religious community, being the Seigneur of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the city of Montreal, or either of them, to invest the moneys arising from any commutation of Tenure granted by them, in Real Property, and other securities, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Lantier took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Lantier reported that the Committee had gone through the said Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

La Nouvelle  
France.

The Order of the Day for the House in Committee on the Report of the Select Committee, appointed to enquire into, and report upon, the present condition and state of the ancient Archives, and Public Records of La Nouvelle France, of Canada, and of the Province of Quebec, remaining in the vaults of the Eveché, or Parliament Buildings at Quebec, or elsewhere, with a view to the adoption of measures, as well for their arrangement and preservation from decay, as to the collection from all accessible sources wheresoever, of such ancient and authentic Records and Documents, relating to the first settlement of Canada, as in the opinion of the Committee may cast light upon, or be conducive to the general advancement of Literature in the Province, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Attorney General Smith took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. Attorney General Smith reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That an humble Address be presented to His Excellency, the Governor General, together with a copy of the Report of the Select

(412)

Committee of this House, relating to the ancient Archives and Public Records of Canada, remaining in the vaults of the Parliament Buildings at Quebec, and praying His Excellency will graciously be pleased to take the same into consideration, and adopt such measures as to His Excellency shall seem most conducive to the purposes recommended by the said Select Committee, as well for the preservation of those records as for procuring other Public Documents, papers, or authentic information from sources legitimately accessible in England or France, tending to throw further light upon the ancient Government and History of Canada; and to assure His Excellency, that this House will make good such expenses as may be incurred for the aforesaid purposes.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Quebec Medi-  
cal School.

The Order of the Day for the second reading of the Bill, to incorporate the Quebec Medical School, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

The Honourable Mr. Baldwin took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. Baldwin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

To continue  
certain Acts.

read,

The Order of the Day for the second reading of the Bill, to continue further for a limited time the several Acts therein mentioned, being

The said Bill was accordingly read, and committed to a Committee of the whole House.

The Honourable Mr. LaFontaine took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. LaFontaine reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Orders of  
the Day.

The Honourable Mr. LaFontaine moved, seconded by Mr. Armstrong, that the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Cummings, DeWitt, Jessup, Johnston, LaFontaine, Macdonell of STORMONT, Méthot, Meyers, Morin, Price, Roblin, Taché, and Thompson.--(16.)

NAYS.

Boulton, Boutillier, Cameron, Chalmers, Chauveau, Christie, Attorney General Draper, Gowan, Greive, Hale, Hall, Lantier, Laurin, Macdonald of KINGSTON, Merritt, Moffatt, Robinson, Seymour, Attorney General Smith, and Stewart of BYTOWN.--(20.)

So it passed in the negative.

Adjournment.

The Honourable Mr. LaFontaine moved, seconded by Mr. Armstrong, that this House do now adjourn.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, DeWitt, Attorney General Draper, Jessup, Johnston, LaFontaine, and Morin.--(9.)

## NAYS.

Boulton, Boutillier, Chalmers, Chauveau, Christie, Cummings, Gowan, Greive, Hale, Hall, Lantier, Laterrière, Laurin, Macdonell of KINGSTON, Macdonell of STORMONT, Merritt, Meyers, Moffatt, Price, Roblin, Seymour, Attorney General Smith, Stewart of BYTOWN, Taché and Thompson.-- (25.)

So it passed in the negative.

Quebec  
Incorporation.

The Order of the Day for the second reading of the Bill, to amend the Ordinances incorporating the city of Quebec, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Ordered, That the Petition of Henry Atkinson, Esquire, and others, of the city of Quebec, be referred to the said Committee.

The House then resolved itself into the said Committee.

The Honourable Mr. Robinson took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. Robinson reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Ordered, That the remaining Orders of the Day be postponed until to-morrow, and that they be then the first Orders of the Day.

Then, on motion of the Honourable Mr. LaFontaine,

The House adjourned.



APPENDIX, 26 MARCH 1845.

((POSTPONED BILL RE: JUDICIAL SALES OF LAND.))

Le bill des ventes judiciaires... ((a)) été lu pour la seconde  
fois<sup>40</sup>.

M. AYLWIN dit que le temps ne lui permettait pas de procéder plus  
loin dans la session actuelle, et qu'il remettait le bill à la prochaine  
session.<sup>41</sup>

FOOTNOTES - 26 MARCH 1845.

1. LE CANADIEN, 31 March 1845.
2. IBID.
3. The debate on this motion was reported by: LE CANADIEN, 31 March 1845; and in identical accounts in the MONTREAL GAZETTE, 27 March 1845, and the BRITISH WHIG, 1 April 1845.
4. MONTREAL GAZETTE, 27 March 1845.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. According to MONTREAL GAZETTE, 27 March 1845, Dunlop withdrew his motion but evidently this was a reportorial error. It is possible that he asked but was denied permission to withdraw it.
15. The debate on this motion was reported by: MONTREAL GAZETTE, 29 March 1845, MONTREAL TRANSCRIPT, 29 March 1845, KINGSTON NEWS, 3 April 1845, and KINGSTON CHRONICLE, 2 April 1845, in identical accounts; and BRITISH WHIG, 1 April 1845, in an account which is partially identical to the others.
16. BRITISH WHIG, 1 April 1845.
17. MONTREAL GAZETTE, 29 March 1845.
18. BRITISH WHIG, 1 April 1845.
19. MONTREAL GAZETTE, 29 March 1845.
20. BRITISH WHIG, 1 April 1845.
21. MONTREAL GAZETTE, 29 March 1845.
22. BRITISH WHIG, 1 April 1845.
23. MONTREAL GAZETTE, 29 March 1845.
24. BRITISH WHIG, 1 April 1845.
25. MONTREAL GAZETTE, 29 March 1845.
26. BRITISH WHIG, 1 April 1845.
27. MONTREAL GAZETTE, 29 March 1845.
28. BRITISH WHIG, 1 April 1845.
29. IBID.
30. MONTREAL GAZETTE, 29 March 1845.
31. BRITISH WHIG, 1 April 1845.
32. MONTREAL GAZETTE, 29 March 1845.
33. BRITISH WHIG, 1 April 1845.
34. MONTREAL GAZETTE, 29 March 1845.
35. IBID.
36. IBID.
37. IBID.
38. IBID.

- 39. IBID.
- 40. LE CANADIEN, 31 March 1845.
- 41. IBID.

THURSDAY, 27 MARCH 1845.

(412)

10 O'Clock, A.M.

Petitions read.

PURSUANT to the Orders of the Day the following Petitions were read:--

Of John Scriver and others, settlers on the Clergy Reserves, in the township of Hemmingford, in the county of Beauharnois, praying that no measures may be adopted which would prevent their acquiring permanent titles to the said lands at a moderate rate.

Of George R. S. de Beaujeu, of Côteau du Lac, Esquire, praying that no proceedings be had on the Petition presented this Session, relating to the division line between Upper and Lower Canada, previous to his being heard on the subject.

(413)

D. Cameron,  
of Tharah.

The Honourable Mr. Baldwin, from the Select Committee, to which was referred the Entries in the Journals of the second Session of the twelfth Provincial Parliament of the late Province of Upper Canada, which relate to the Petition of Donald Cameron, of the township of Tharah, in the North Riding of the county of York; and the Report of the Select Committee, to which the same was referred, dated 12th April, 1836, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix O. O. O.)

Avoiding Suits  
at Law.

An engrossed Bill for the limitation of Actions, for avoiding Suits at Law, and for rendering a written Memorandum necessary to the validity of certain promises and engagements, in that part of the Province which heretofore constituted the Province of Lower Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the Legislative Council, and desire their concurrence.

Elementary  
Instruction,  
Lower Canada.

An engrossed Bill to make better provision for Elementary Instruction in Lower Canada, was read for the third time.

Resolved, That the Bill do pass.



Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

Ordinance  
Estates.

An engrossed Bill to explain and amend part of an Act passed in the seventh year of Her Majesty's reign, intituled, "An Act for vesting in the principal offices of Her Majesty's Ordinance, the Estates and Property therein described; for granting certain powers to the said officers; and for other purposes therein mentioned," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Stewart, of Bytown, do carry the said Bill to the Legislative Council, and desire their concurrence.

Commutation  
of Tenure.

An engrossed Bill to empower any religious community, being the Seigneur of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the city of Montreal, or either of them, to invest the Moneys arising from any commutation of Tenure granted by them, in Real Property and other securities, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to empower the Seigniors of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the city of Montreal, or either of them, to invest the Moneys arising from any commutation of Tenure granted by them, in Real Property and other securities."

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Winter Roads,  
Lower Canada.

The Honourable Mr. DeBleury moved, seconded by the Honourable Mr. Attorney General Smith, that the amendments made by the Legislative Council to the Bill intituled, "An Act further to amend the Laws relative to Winter Roads in Lower Canada," be now taken into consideration.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Chalmers, Chauveau, Christie, Cummings, DeBleury, Dunlop, Emmatinger, Gowan, Hale, Jessup, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Meyers, Robinson, Seymour, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, and Williams.--(21.)

## NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Boutillier, Cameron, Cauchon, Desautier, DeWitt, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Papineau, Powell, Price, Riddell, Rousseau, Sherwood of BROCKVILLE, and Taché--(25.)

So it passed in the negative.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Attorney General Draper,

Access to the Library. Resolved, That the Honourable the Speaker of this House be authorized to make arrangements during the Recess, for the purpose of effecting a more convenient access to the Library, or to remove the same to the second flat, at the West end of this building, and such other arrangements as he may think fit.

On motion of Mr. Macdonell, of Stormont, seconded by Mr. Sherwood, of Brockville,

Report on the Petition of P. Anderton. Resolved, That an humble Address be presented to His Excellency, the Governor General, communicating a copy of the Report of the Select Committee, to which was referred the Petition of Peter Anderton, of the Eastern district; and also a copy of the said Petition, and praying His Excellency will be pleased to take the same into his favourable consideration.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Ice Bridges. Ordered, That two hundred and fifty copies of the Report of the Board of Works, on the subject of forming Ice Bridges over the River St. Lawrence, in the districts of Quebec, and Three Rivers, be printed in each of the English and French languages, for the use of the Members of this House.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Attorney General Smith,

Toll on Public Works. Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the propriety of authorizing the levying of Tolls on certain Public Works in this Province, and that the usual notice be dispensed with as to the present motion.

The House accordingly resolved itself into the said Committee,

Mr. Gowan took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gowan reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received at the afternoon Sitting of this day.

On motion of Mr. Powell, seconded by Mr. Price,

(414)

Civil and  
Political Rights.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act, passed in the fourth and fifth years of the reign of Her Majesty, Queen Victoria, intituled, 'An Act to secure to, and confer upon certain inhabitants of this Province, the Civil and Political Rights of natural born British subjects', and to make further provision regarding aliens," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 18.--Leave out from "that" to "enacted" in press 2, line 13, both inclusively.

" 2, " 17.--Leave out "seven" and insert "more than five."

" 2, " 20.--After "mentioned" insert "provided always that in special cases, requiring immediate interference of the Governor in Council, it shall, and may be lawful for the said Governor in Council, to grant the certificate hereinafter prescribed in favour of any particular individual or individuals, presenting the memorial hereinafter mentioned, although such individual or individuals shall not have been domiciled in this Province for a period of five years."

" 2, " 22.--Leave out "as mentioned in the next proceeding section of this Act," and insert "as aforesaid."

Press 2, Line 42.--After "book," insert "or books," same line, after "person," insert "or persons."

" 2, " 43.--Leave out from "administer" to "cited," in the 44th line both inclusively, and insert "that effect by the Governor in Council."

" 3, " 3 and 4.--Leave out "within sixty days from the date of such certificate."

" 3, " 8.--Leave out from "I, A. B." to "God" in the 11th line both inclusively, and insert "I, A. B. do sincerely promise and swear, that I will be faithful, and bear true allegiance to Her Majesty, Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province of Canada, dependent on, and belonging to the said United Kingdom; and that I will defend her to the utmost of my power against all traitorous conspiracies, and attempts whatever which shall be made against Her Person, Crown, and Dignity, and that I will do my utmost endeavour to disclose and made known to Her Majesty, Her Heirs and Successors, all treasons and traitorous conspiracies, and attempts which I shall know to be against Her or any of them; and all this I do swear without any equivocation, mental evasion, or secret reservation; and renouncing all pardons and dispensations from any person or persons whatever to the contrary, so help me God."

" 3, " 13 and 14.--Leave out "some person," and insert "one of the persons."

" 3, " 14.--Leave out from "administer" to "contained," in the 15th line inclusively, and insert "that effect by the Governor in Council."

" 3, " 22.--After "the" insert "person or."

" 3, " 39.--Leave out from "except" to "Act," in the 40th line both inclusively.

" 5, " Leave out the schedule, oath, and declaration.

Preamble, Line 1.--Leave out from "the time" to "Province," in the 11th line, both inclusively, and insert "it is expedient that His Excellency, the Governor General of this Province by, and with the advice of the Executive



Council thereof, should be enabled to grant to aliens, the rights and capacities of natural born British subjects, under such regulations and exceptions as are hereinafter provided."

Title.--Leave out from "amend" in the first line, to "to" in the 5th line, both inclusively.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Powell do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Public Accounts.

Statistical  
Tables.

Products.

Revenue and  
Expenditure.

Land Granting  
Department.

Scrip Account.

Territorial  
Revenue.

Mr. Merritt moved, seconded By Mr. Cummings, that an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to direct the proper officer to prepare the Public Accounts for presentation to this House, for the preceding year, within the first fifteen days of the next ensuing Session; also, that the Public Accounts be published in pamphlet form, and one copy furnished to each township Clerk in every township in Upper Canada, and the proper officer in the different townships and parishes in Lower Canada, together with one thousand copies for the Members of the Legislature, for the purpose of diffusing general information regarding the resources and Expenditure of the Provincial Revenue; also, Statistical Tables, showing the Tariffs, in Halifax currency, on each specific article, and the ad valorem duty under Imperial or Provincial Acts; also, the quantity of products, from an American to an American port, passing any of our canals, American to a British port, and our own internal trade from one British port to another; also, that a Statement of the Revenue and Expenditure be furnished in Tables appended to the said Report, comprising, First, an Abstract Statement of the different branches of the Expenditure of the Provincial Government, (as per Form No. 1, hereto annexed;) Second, a Statement of Receipts and Expenditure of the Land Granting Department, cash amount; Third, a Statement of the Scrip or Barter Account; Fourth, a Statement of the Territorial Revenue, showing the total amount received, expenses of collection, and names of persons employed in the collection of the Revenue, under each separate head, as specified in the present Public Accounts, with amount of per centage for

(415)

University of  
King's College.

collecting the same; Fifth, a Statement of the Annual Receipts and Expenses of the University of

<u>Post Office.</u>	<u>King's College, Upper Canada College, and Grammar School Fund;</u>
<u>Debentures.</u>	<u>Sixth, a Statement of the amount paid the Post Office Department, specifying the amount paid by each separate branch of the Public Service;</u>
<u>Balances in hands.</u>	<u>Seventh, a Statement of the amount of Debentures issued prior to the Union, (as per Form No. 2, hereto annexed;)</u>
<u>Administration of Justice.</u>	<u>Eighth, also, a Table showing the number and amount issued since the Union;</u>
<u>Population and Taxes.</u>	<u>Ninth, an account of Balances in the hands of several Collectors, Deputy Collectors, Inspectors, Treasurers of Districts, Militia Officers, Agents, and all Public Officers and Servants, in charge or in receipt of any of the foregoing sources of Revenue, and in arrear on the 1st day of January, 184 ,so far as from their Returns or other information is or may be known to the Inspector General, (as per Form No. 3, hereto annexed;)</u>
<u>Interest on Public Works.</u>	<u>Tenth, Statement showing the gross amount of Receipts and Expenditure for the Administration of Justice for 184 ,from the Provincial Revenue and District Funds, (as per Form No. 4, hereto annexed;)</u>
<u>Tolls.</u>	<u>Eleventh, Returns of Population and amount of Taxes from the different Districts, as in Appendix to Journals 1842 and 1843; Twelfth, Statement showing the amount of Interest paid for the construction of each separate Public Work, and the amount received for Tolls thereon, and the Expenditure since 1841, (as per Form No. 5, hereto annexed.)</u>

Revenue and Expenditure.

Abstracts of the DEBENT and EXTENDITRE for the year 1844.

Heads of Revenue.	Where Collected.			General Total.	Heads of Expenditure.	Civil List.			Permanent Acts and Ordinances.			Permanent Acts of the Province of Canada.			Votes of Parliament.			General Total.				
	Canada E.	Canada W.	Total.			Canada E.	Canada W.	Total.	Canada E.	Canada W.	Total.	Canada E.	Canada W.	Province.	Canada E.	Canada W.	Province.					

Debentures.

THE following Statement shews the Amount of Debentures issued constituting the PROVINCIAL DEBT prior to the Union, and the amount required to pay the annual interest thereon.

## FORM No. 3.

Principal.	Rate of Interest.	Amount Annually.	Arrears of Interest or present Liabilities.	When due.	For what object issued.
	At 6 per cent. " 5 " 4				
Total ... £					

Balance in the  
hands of Public  
Officers.

ACCOUNT of Balances in the hands of the several Collectors, Deputy Collectors, Inspectors, Treasurers of Districts, Militia Officers, Agents, and all Public Officers and servants in charge or in receipt of any of the foregoing sources of Revenue, and in arrear on the 1st day of January, 184 , so far as from their Returns, or other information, is or may be known to the Inspector General.

Name of Accountant.	Port, District, or Station.	Designation.	Amount of Balance unpaid.	Remarks as to when due, date of last Return from said Accountant, Secretary, steps taken to enforce or recover amounts, &c. &c. &c.



(416)

FORM NO. 4.

ADMINISTRATION of Justice for 184 , from the Provincial Revenue and District Funds.

Receipts and  
Expenditure  
for the Admin-  
istration of  
Justice.

Receipts.	Amount.	Expenditure.	Amounts.
	£ s. d.		£ s. d.
Fees received.		Provincial Funds ... ..	
		Court of Appeals ... ..	
		" Chancery ... ..	
		" Queen's Bench ... ..	
		" Vice Admiralty ... ..	
		District Courts ... ..	
		Division Courts ... ..	
		Police ... ..	
		Pensions ... ..	
		Other items ... ..	
Total ... ..	£	Total ... ..	£
		District Funds ... ..	
		(Items as above) ... ..	
		Total ... ..	£

(Under what authority.)

FORM No. 5.

Public Works.

STATEMENT shewing the Amount of Interest paid for the construction of each separate Public Work, and the amount received for Tolls thereon, and the Expenditure since 1841.

Name of Work.	Expenditure since 1841.	Interest.	Toll.	Gain.	Loss.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

On motion of Mr. Merritt, seconded by Mr. Dickson,

Increased  
Duties under  
4 and 5 Vict.,  
chapter 14.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying he will please to cause the proper officer to lay before this House, at an early day after the opening of the next Session, a Return or

Estimate of the amount of the increased duties, received under the 4th and 5th Victoria, cap. 14, and whether the same, or what part thereof has been applied for the object for which those increased duties were imposed--the payment of the loan of one million, six hundred and eighty-two pounds, sterling, for the completion of various Public Works, as expressed under the provisions of 4th and 5th Victoria, cap. 28.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of Mr. Cameron, seconded by the Honourable Mr. Attorney General Draper,

Instructions to  
Committee on  
Contingencies.

Ordered, That it be an Instruction to the Standing Committee on Contingencies, to inquire and report, what indemnity it would be proper to allow to the Officers of this House, with re-

gard to expenses incurred by them in consequence of the removal of the Seat of Government.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Petition of the  
Honourable  
James Crooks.

Resolved, That this House doth concur in the Address to Her Majesty reported by the Select Committee, to which was referred the Petition of the Honourable James Crooks, of the district of Gore.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be communicated by Message to the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That Mr. Dunlop do carry the said Message to the Legislative Council.

Widow Roy.

Mr. Macdonald, of Kingston, from the Committee of the whole on the Report of the Select Committee, to which was referred the Petition of Mrs. Jennet Roy, widow of the late

Thomas Roy, Civil Engineer, of the city of Toronto, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, for the purpose of being paid to Mrs. Jennet Roy, as an equivalent for the services of her late husband.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Resolved, That an humble Address be presented to His Excellency, the Governor General, communicating a copy of the Petition of Mrs. Jennet Roy, and of the Report of the Select Committee thereon, and praying that His Excellency will be pleased to take the same into his favourable consideration.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Duties on Stills. Mr. Colville, from the Committee of the whole House, to consider the expediency of repealing an Act of the present Session, relative to the Duties on Stills, and to make further provision on the same subject, reported, according to order,

(417)

the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and is as followeth:--

Resolved, That it is expedient to repeal and amend the several Laws now in force levying Duties on Stills.

Ordered, That the Honourable Mr. Robinson, have leave to bring in a Bill to repeal an Act of the present Session, relative to the duties on Stills, and to make further provision on the same subject.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered, That the said Bill be now read a second time.

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Smith, of Frontenac, took the chair of the Committee, and after some time spent therein,



Mr. Speaker resumed the chair,

And Mr. Smith reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the said Report be received at the next sitting of this House.

Montreal  
Harbour.

Mr. Macdonell, of Dundas, from the Committee of the whole House, on the Bill to provide for the improvement and enlargement of the Harbour of Montreal, to authorize the Commissioners to borrow a further sum of money for that purpose, to consolidate the Laws now in force, relating to the same, and for other purposes therein mentioned, reported according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill, to provide for the improvement and enlargement of the Harbour of Montreal, to authorize the Commissioners to borrow a further sum of money for that purpose, to consolidate the Laws now in force relating to the same, and for other purposes therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Expenses, Civil  
Government.

Mr. Cauchon, from the Committee of the whole House, on the Bill to make provision for defraying certain Expenses of the Civil Government of this Province, for the year one thousand eight hundred and forty-five, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Petition of  
R.G. Belleau.

The Honourable Mr. Robinson, from the Committee of the whole House, on the Report of the Select Committee, to which was referred the Petition of R. G. Belleau and others, inhabitants and tenants in the county of Quebec, and other references, reported according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

Quebec Roads.

1. Resolved, That it is expedient to amend the Ordinance of the Governor and Special Council, passed in the fourth year of the reign of Her Majesty, intituled, "An Ordinance to provide for the improvement of certain Roads in the neighbourhood of, and leading to, the city of Quebec, and to raise a fund for that purpose."
2. Resolved, That it is expedient to allow the Quebec Turnpike Trust to borrow the sum of eight thousand eight hundred and eighty-two pounds, upon the security of the Province for the payment of the interest only.
3. Resolved, That in case the bridge belonging to Messrs. Smith and Anderson, over the River St. Charles, and commonly called "Dorchester Bridge," should at any time hereafter be acquired by the Government and placed under the controul of the Quebec Turnpike Trust, it will then be expedient that the Toll-bar which is now at the entrance of the Road leading to Beauport, be transferred to the said bridge, and the tolls on the said road and bridge united, provided that both tolls united do not exceed by more than one-half the amount which shall then be lawfully demanded at the other toll-gates, and that the said Road of Charlesbourg, up to Charlesbourg-Church, be then under the operation of the said Ordinance as amended by the present Statute, and be under the controul, charge, and management of the said Quebec Turnpike Trust.
4. Resolved, That the Trustees shall be compelled to commute with persons residing out of the town, at the rate of sixty days' passing and repassing for each vehicle, not kept for pleasure only, and at the rate of a hundred days for vehicles kept for pleasure.
5. Resolved, That the tenth section of the Ordinance 4 Victoria, chapter 17, be repealed, and that other tolls be exacted at the different Toll-gates on the turnpike roads in the vicinity of Quebec, in lieu of those now demanded by the Trustees of the said turnpike roads.

Ordered, That Mr. Chauveau have leave to bring in a Bill to amend a certain Ordinance therein mentioned, relative to the turnpike roads near Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, at the next sitting of the House, and that it be then the first Order of the Day.

Registration,  
Lower Canada.

Mr. Cameron, from the Committee of the whole House on the Bill to amend the Act and Ordinance therein mentioned, relative to the registration

of Lower Canada, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Lands liable to  
Taxes, Upper  
Canada.

Mr. Smith, of Frontenac, from the Committee of the whole House, on the Bill to remove all doubts as to the liability of certain Lands in Upper Canada to be charged with local taxes, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

(418)

Aprons to  
Mill Dams.

Mr. Roblin, from the Committee of the whole House, on the Bill to provide more effectually for the construction of Aprons to Mill Dams on streams in Upper Canada, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Dues on  
the Chambly  
Canal.

Mr. Hall, from the Committee of the whole House on the First Report of the Special Committee appointed to enquire into all matters and things connected with the management and collection of Dues on the Chambly Canal, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and is as followeth:--

Resolved, That it is the opinion of this Committee, That an humble Address be presented to His Excellency, the Governor General, representing to His Excellency, that after an investigation of the claims contained in a Petition, presented to this House by Samuel Andres and Stephen R. Andres, Contractors for certain Works on the Chambly Canal; it appears to this House that the said Samuel and Stephen R. Andres have a legal claim against the Commissioners of the said Chambly Canal, for the sum of ten thousand six hundred and sixteen pounds, seventeen shillings and sixpence, with interest from the 21st December, 1840, and costs, as awarded by a judgment of Her Majesty's Court of Queen's Bench of Montreal, dated the 30th September, 1844, and that this House, therefore, humbly recommends that the above claim should be reimbursed to the said Samuel and Stephen R. Andres, from out of the unappropriated Funds of this

Province, and assuring His Excellency, that this House will make good the same.<sup>1</sup>

Mr. Dunlop moved, seconded by Mr. Johnston, that this House doth concur with the Committee in the said Address.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Boutillier, Colville, Daly, DeBleury, Drummond, Dunlop, Attorney General Draper, Ermatinger, Gowan, Greive, Guillet, Hale, Hall, Johnston, Lacoste, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Murney, Papineau, Petrie, Robinson, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Taché, Webster and Williams.--(31.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chauveau, Christie, Desaunier, DeWitt, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of STORMONT, Morin, Price, Rousseau, and Smith of FRONTENAC--(20.)

So it was carried in the affirmative, and

Resolved, accordingly.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Then, the House adjourned until three o'clock, P.M., this day.

3 O'Clock, P.M.

Municipal  
Authorities,  
Lower Canada.

An engrossed Bill, to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local or Municipal Authorities in Lower Canada, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local and Municipal Authorities in Lower Canada."

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.



Great Western  
Railroad Company.

An engrossed Bill, to revive certain provisions of the Act incorporating "The Great Western Railroad Company," and to enable them to carry on that work, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cameron do carry the said Bill to the Legislative Council, and desire their concurrence.

Evangelical  
Association.

An engrossed Bill to extend the benefit of a certain Act of Upper Canada therein mentioned, to the Clergyman or Minister of the Evangelical Association, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to extend the benefit of a certain Act of Upper Canada therein mentioned, to the Clergymen or Ministers of the Evangelical Association."

Ordered, That Mr. Thompson do carry the said Bill to the Legislative Council, and desire their concurrence.

Certain Ex-  
penses, Civil  
Government.

An engrossed Bill to make provision for defraying certain expenses of the Civil Government of this Province, for the year one thousand eight hundred and forty-five, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.

Lands liable  
to Taxes,  
Upper Canada.

An engrossed Bill to remove all doubts as to the liability of certain Lands in Upper Canada to be charged with local taxes, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to declare certain Lands in Upper Canada liable to assessment, and to oblige the owners of such Lands to make returns thereof to the District Treasurer."

Ordered, That Mr. Cummings do carry the said Bill to the Legislative Council, and desire their concurrence.

Kingston In-  
corporation.

Mr. Hall, from the Committee of the whole House, on the Bill to amend an Act passed in the first year of Her Majesty's reign, intituled,

"An Act to incorporate the town of Kingston, under the name of the Mayor and Common Council of the town of Kingston," reported, according to order, the amendments made by the Committee to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Quebec Medi-  
cal School.

The Honourable Mr. Baldwin, from the Committee of the whole House, on the Bill to incorporate the Quebec Medical School, reported, according to order, the amendments made by the Committee to the said Bill; which

(419)

amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Quebec In-  
corporation.

The Honourable Mr. Robinson, from the Committee of the whole House on the Bill to amend the Ordinances incorporating the city of Quebec, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Tolls on  
Public Works.

Mr. Gowan, from the Committee of the whole House, to consider the propriety of authorizing the levying of Tolls on certain Public Works in this Province, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to authorize the imposition and levying of Tolls on certain Public Works in this Province, constructed out of the Public Funds.

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill, to make provision for the levying of Tolls on certain Public Works, and for the proper use of the said Works.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Duties on  
Stills.

Mr. Smith, of Frontenac, from the Committee of the whole House, on the Bill to repeal an Act

of the present Session, relative to the Duties on Stills, and to make further provision of the same subject, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Quebec Turn-  
pike Roads.

The Order of the Day for the second reading of the Bill, to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads, near

Quebec, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Sherwood, of Brockville, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Sherwood reported that the Committee had gone through the Bill, and had made several amendments thereto; which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Welland Canal  
Stock.

The Order of the Day for the second reading of the Bill, to amend the Act for purchasing the Stock in the Welland Canal, held by private

Shareholders, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Armstrong took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Armstrong reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Montreal In-  
corporation.

The Honourable Mr. DeBleury moved, seconded by Mr. Cameron, that the Bill to amend and con-

solidate the provisions of the "Ordinance, to incorporate the city and town of Montreal," and of a certain Ordinance amending that Ordinance; and to vest certain other powers in the Corporation created by the said first mentioned Ordinance, be now read a second time.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

## YEAS.

Boulton, Cameron, Chalmers, Cummings, DeBleury, Dunlop, Attorney General Draper, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonell of DUNDAS, Moffatt, Papineau, Riddell, Robinson, Sherwood of BROCKVILLE, Attorney General Smith, Stewart of BYTOWN, and Webster--(24.)

## NAYS.

Armstrong, Baldwin, Berthelot, Cauchon, Christie, Desaunier, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of STORMONT, Merritt, Méthot, Morin, Murney, Powell, Price, Rousseau, Seymour, Taché, and Thompson--(23.)

So it was carried in the affirmative, and the said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonell, of Stormont, took the chair of the Committee,<sup>2</sup>

MR. LAFONTAINE moved that the city be divided into nine wards instead of six. He stated that the East, Centre, and West Wards contained a population of 5,000, while the other three had a population of 40,000 and yet the representation was the same. He also shewed that the revenue from the large Wards was increasing every year while that from the small was diminishing.<sup>3</sup> Therefore, whether regarded in respect of population or assessment, the suburban Wards were entitled to a double representation.<sup>4</sup> The hon. member spoke at much length on the Tory efforts to swamp the majority of the population and referred ... to the Sydenham era when the design was openly and barefacedly acted upon; - he also denounced the violence by which the Municipal Elections of December last were carried and said those elections were carried by no other means than the bludgeon.<sup>5</sup>

MR. DE BLEURY followed in support of the Bill as it stood.... He justified the conduct of the citizens of Montreal, who had been compelled to repel force by force, to defend their liberties from the attacks of strangers.<sup>6</sup> They had formed this determination and would carry it out. He called upon the committee to reject an amendment which would have the effect of setting the labourer over the man of wealth and intelligence,



and giving to those who lived in the suburbs the advantage over the merchants of the city.<sup>7</sup>

MR. GOWAN said, there were in Montreal six wards, three city and three suburban. The member for Terrebonne proposed to divide the suburban wards into two, doubling the representation. One of the reasons he had given for this was population; he (Mr. G.) contended that neither in Municipal nor Parliamentary affairs in any country was population alone made the basis of representation. The revenue from the suburban wards was rather more than a thousand pounds greater than that of the city. The reason would be found in the increase of merchants warehouses in the neighbourhood of the Canal, and was not raised from the inhabitants of those wards. He denied that the increase of the suburban wards justified the increase asked for, he was willing to give them all they were entitled to in proportion to the assessment, and that would be one Councillor more. The effect of the amendment would be to place the control of the funds of the city in the hands of those who contributed least towards them, and to place the city at the mercy of the suburbs.<sup>8</sup>

MESSRS. BERTHELOT and DEWITT were in favor of the amendment.<sup>9</sup>

MR. DRUMMOND was not astonished to hear the hon. member advocating such doctrines, as they formed part and parcel of the old high Tory System of which that hon. gentleman is either now ashamed or pretends to be ashamed<sup>10</sup>.

"Hear, hear," from MR. GOWAN<sup>11</sup>.

((MR. DRUMMOND continued:)) And which has produced such disastrous effects in other countries. He denied that under the British Constitution, wealth gives a better right to representation than population. But the honorable member for Leeds argued of things that he had not considered, & spoke of facts of which he was ignorant, by asserting that the greater proportion of the property owned by wealthy persons, belongs to residents in the city wards. There are hundreds of men living in the suburban wards who still hold the soil and will continue to hold it. (Cheers.) Yes, will continue to hold it, because they are increasing in wealth<sup>12</sup>, in territorial and commercial prosperity<sup>13</sup>, and ((had)) withstood the crisis under which numbers of the strangers sunk.<sup>14</sup>

The hon. member for Cornwall ((MR. ROLLAND MACDONALD)) repeated the word Foreigners<sup>15</sup>.

MR. DRUMMOND said he observed the avidity with which the learned gentleman from Cornwall repeated his expression but he hoped that in saying Foreigner he was understood to mean no more than was meant in England when a judgment delivered in Scotland is called a Foreign judgment.<sup>16</sup> He represented the inhabitants of the City Wards as being

principally foreigners.<sup>17</sup> The hon. member then resumed his remarks on the nature of the amendment which he considered called for by the numbers and intelligence of the French Canadians in the suburbs, he would also call on the House to pass the bill if they did not wish to bear the responsibility of more bloodshed.<sup>18</sup> He alluded to the riots of December; he said there was no repelling force by force<sup>19</sup>. It was well known that the ... elections were carried by a body of armed cavalry, who swept the polls from one side to the other, and he would ask hon. members were they prepared for a renewal of such scenes? At one of the polls a body of armed men appeared, and the electors on the other side, not wishing to risk their lives, withdrew; and one of the candidates was, contrary to law, declared duly elected. In consequence of that breach of the law, a writ of mandamus had been lately applied for and would he had no doubt be granted declaring the election null and void<sup>20</sup>. He appealed to the Christian feelings of members to prevent a repetition of the scenes of bloodshed which then took place, by amending the law.<sup>21</sup>

MR. MOFFATT assured the honorable gentleman that the party with whom he acted were as sincerely desirous of peaceable elections as any gentlemen on the other side could be; and they would carry it out when others observed a like disposition. He said that the proclamation of Lord Sydenham, fixing the boundary of the city, was influenced by the House of Commons. He did not deny that it was an unpopular proceeding, and he considered that it ought to have been carried out in a different way. - When the amendment was made in 1842, it was done without a petition, and he had offered no opposition to it. He was not prepared to say that proprietors in the city wards did not reside in the suburbs; but he also knew that many persons lived in the city who were large proprietors in the suburbs. The effect of the amendment would be to give to the suburbs eighteen representatives and to the city nine. The city was to have half the representation of the suburbs, while the latter contributed to the revenue one-tenth only more than the former. And that was what the hon. member called justice.<sup>22</sup>

The amendment was carried.<sup>23</sup>

(419)

*and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Macdonell reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.*

*Ordered, That the Report be received to-morrow.*

Kingston Incorporation.

Mr. Macdonald, of Kingston, moved, seconded by Mr. Seymour, that the engrossed Bill to amend an Act, passed in the first year of Her Majesty's reign, intituled, "An Act to Incorporate the town of Kingston under the name of the Mayor and Common Council of the town of Kingston," be now read for the third time.<sup>24</sup>

MR. ((HENRY)) SMITH objected to it on the ground that it repealed part of the Act settling the boundaries of counties passed this session.<sup>25</sup>

Upon examination of the Bill referred to it was found to contain a clause providing for that Repeal.<sup>26</sup>

MR. ((HENRY)) SMITH then objected to the Bill because it provided that no Slaughter House should be allowed within the bounds of the city, whereby property in Lot 24 would be rendered valueless. The hon. gentleman went over the grounds of objection which he took upon the previous evening, and concluded by moving the third reading this day six months.<sup>27</sup> ((Mr. Smith subsequently withdrew his motion.))<sup>28</sup>

(419)

Mr. Smith, of Frontenac, moved, in amendment, seconded by Mr. Gowan, that all the words after the word "now," in the said motion, be struck out, and the following substituted: "recommitted to a Committee of the whole House, for the purpose of striking out that part of the Bill which relates to Lot No. 24, in the first concession of the township of Kingston."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, DeWitt, Dickson, Dunlop, Gowan, Johnston, Laterrière, Macdonald of CORNWALL, Moffatt, Seymour, Smith of FRONTENAC, Taché, and Webster--(13.)

(420)

NAYS.

Baldwin, Bertrand, Cauchon, Christie, Desaunier, Ermatinger, Foster, Greive, Guillet, Hall, Lacoste, LaFontaine, Lantier, Laurin, LeMoire, Leslie, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, Merritt, Méthot, Meyers, Morin, Papineau, Powell, Frice, Riddell, Roblin, Smith of WENTWORTH, Stewart of BYTOWN, Thompson, and Williams--(32.)

*So it passed in the negative.*

MR. WILLIAMS ... ((suggested that Mr. Henry Smith ask)) that the Bill be referred to Committee of the Whole to reduce the rate of Assessment for the next five years upon Lot 24.<sup>29</sup>

(420)

*Mr. Smith, of Frontenac, then moved in amendment, seconded by Mr. Seymour, that all the words after the word "now," in the main motion, be struck out, and the following substituted: "committed to a Committee of the whole House to reduce the rate of Assessment upon Lot No. 24, in the first concession of the township of Kingston, for the first five years after the said Bill shall have come into effect."*

*The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*DeBleury, DeWitt, Dickson, Dunlop, Gowan, Johnston, Laterrière, Macdonald of CORNWALL, Seymour, Smith of FRONTENAC, Smith of WENTWORTH, Taché, Webster, and Williams--(14.)*

NAYS.

*Baldwin, Berthelot, Bertrand, Chauveau, Christie, Desautier, Drummond, Ermatinger, Foster, Greive, Jessup, Lacoste, Lantier, Laurin, LeMoine, Leslie, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Meyers, Moffatt, Morin, Nelson, Papineau, Powell, Price, Riddell, Roblin, Rousseau, Stewart of BYTOWN, and Thompson--(32.)*

*So it passed in the negative.*

*The question being then put on the main motion, it was agreed to by the House, and*

*The said Bill was accordingly read for the third time.*

*Resolved, That the Bill do pass.*

*Ordered, That Mr. Macdonald, of Kingston, do carry the said Bill to the Legislative Council, and desire their concurrence.*

*Duties on Tobacco.*

*Resolved, That the Address of this House of the fourth instant to Her Majesty, praying for a reduction of the duty on Tobacco, the produce of this Province, imported into the United Kingdom, and the Address of*



this House of the twenty-sixth instant to Her Majesty, relative to the imprisonment of Alexander M'Leod by the authorities of the United States; together with the Addresses of the twenty-fourth and twenty-sixth instant to His Excellency, the Governor General, praying he would be pleased to transmit the said Addresses to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne, be presented to His Excellency by the whole House.

Ordered, That such Members of this House as are of the Honourable the Executive Council of this Province, do wait upon His Excellency, the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Addresses.

Appropriation  
to Members.

Mr. Dunlop moved to resolve, seconded by Mr. Christie, that an humble Address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to issue his Warrant in favour of the Speaker of this House, for the sum of nine thousand five hundred pounds, to enable him to defray certain Contingencies of the Session, which are provided for in a Bill of Appropriation which has passed this House.

Mr. Johnston, moved, in amendment, seconded by Mr. Macdonald, of Cornwall, that all the words after "that," in the said motion, be struck out, and the following substituted: "for the services and attendance of Members of this House, during the present Session, no indemnity be allowed, and that henceforward the services of the Members of the Provincial Legislative Assembly, shall be given freely and without reward or remuneration."

The question having been put upon the said motion of amendment, a division ensued,<sup>30</sup> and the names being called for, they were taken down as followeth:--

YEAS.

Chalmers, DeBleury, Greive, Johnston, Macdonald of CORNWALL, and Smith of FRONTENAC--(6.)

NAYS.

Baldwin, Berthelot, Bertrand, Cauchon, Chauveau, Christie, DeWitt, Dickson, Drummond, Dunlop, Attorney General Draper, Ermatinger, Foster, Gowan, Guillet, Hall, Jessup, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Méthot, Meyers, Morin, Murney, Fapineau, Petrie, Riddell, Roblin, Rousseau, Seymour, Attorney General Smith, Smith of

WENTWORTH, Stewart of BYTOWN, Taché, and Webster--(42.)

*So it passed in the negative.*

*The question being then put on the main motion, it was agreed to by the House, and*

Resolved, accordingly.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Preservation  
Salmon.

*The Legislative Council have passed the Bill, intituled, "An Act to repeal and reduce into one Act the several Laws now in force for the preservation of Salmon, in that part of this Province formerly Upper Canada, and for other purposes therein mentioned," without any amendment.*

*Also,*

LEGISLATIVE COUNCIL,  
Thursday, 27th March, 1845.

Petitions to Her  
Majesty and both  
Houses of the Imper-  
ial Parliament.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council hath agreed to their Petitions to Her Majesty and both Houses of the Imperial

*Parliament, relating to the repeal of the provision of the 31st clause of the Imperial Act, 3rd and 4th William IV., cap. 59, which authorizes the importation of certain goods in Foreign vessels on the Inland Waters; to the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters; and to the right of persons naturalized by Provincial Acts to the privileges of British subjects, in matters connected with Trade and Navigation, by severally filling up the blanks with the words, "Legislative Council and the".*

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

(421)

And also,

LEGISLATIVE COUNCIL,  
Thursday, 27th March, 1845.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House, that the Legislative Council have passed an Address to His Excellency, the Governor General, praying that His Excellency will be pleased to transmit the Petitions of both Houses to Her Majesty and the two Houses of the Imperial Parliament, in relation to the repeal of that provision of the thirty-first clause of the Imperial Act, which authorizes the importation of certain goods in Foreign vessels on the Inland Waters; to the extension of the Registry Laws of the United Kingdom to British vessels employed in the said waters; and to the right of persons naturalized by Provincial Acts, to the privileges of British subjects, in matters connected with Trade and Navigation; to which Address they desire the concurrence of the Legislative Assembly.

Attest.

CHARLES DELERY,  
Clk. Asst. Legt. Coun.

To His Excellency the Right Honourable CHARLES THEOPHILUS, Baron METCALFE, of Fernhill, in the County of Berks, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislative Council of the Province of Canada, have agreed upon joint Petitions to Her Most Gracious Majesty, and to the Lords and Commons of the United Kingdom, in relation to the repeal of that provision of the thirty-first clause of the Imperial Act, 3rd and 4th William IV., cap. 59, which authorizes the importation of certain goods in Foreign vessels on the Inland Waters; to the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters; and to the right of persons naturalized by Provincial Acts, to the privileges of British subjects, in matters connected with Trade and Navigation; and we now most respectfully present the said Petitions to Your Excellency, humbly requesting that Your Excellency would be pleased to transmit them to Her Majesty's Secretary of State for the Colonies, praying that the

*Petition to Her Majesty may be laid at the foot of the Throne, and that the several Petitions to the Right Honourable the House of Lords, and the Honourable the House of Commons may be submitted to them respectively.*

*And then he withdrew.*

*On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Papineau,*

*Resolved, That this House do concur in the Address of the Honourable the Legislative Council to His Excellency, the Governor General, praying that His Excellency will be pleased to transmit the Petitions of both Houses to Her Majesty, and the two Houses of the Imperial Parliament, in relation to the repeal of that provision of the thirty-first clause of the Imperial Act, which authorizes the importation of certain goods in Foreign vessels on the Inland Waters; to the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters; and to the right of persons naturalized by Provincial Acts, to the Privileges of British subjects, in matters connected with Trade and Navigation; that the blank therein be filled up with the words, "and Legislative Assembly," and that the said Address be signed by Mr. Speaker, on behalf of this House.*

*Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency, the Governor General, praying that His Excellency will be pleased to transmit the Petitions of both Houses to Her Majesty, and the two Houses of the Imperial Parliament, in relation to the repeal of that provision of the thirty-first clause of the Imperial Act, which authorizes the importation of certain goods in Foreign vessels on the Inland Waters; and to the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters; and to the right of persons naturalized by Provincial Acts to the privileges of British subjects, in matters connected with Trade and Navigation.*

*Ordered, That the Honourable Mr. Attorney General Draper do carry the said Message to the Legislative Council.*

*The Honourable Mr. Attorney General Draper laid before the House, by command of His Excellency, the Governor General,*

*Kingston  
University.*

*Extract of a Despatch from the Secretary of State to the Right Honourable Lord Sydenham, Governor General, dated Downing Street, 12th*

*October, 1840:--*



Extract of a Despatch from the Secretary of State, to the Right Honourable Lord Sydenham, Governor General, dated,

DOWNING STREET,  
12th October, 1840.

The Act numbered in the Records of this Department, No. 1261, entitled, "An Act to establish a College of the name and of the style of the University of Kingston," established at Kingston a University, which is to be exclusively of the Scotch Presbyterian persuasion. All the governing Body must belong to that Church, and they must all avow their adherence to the Confession of Westminster. If this College were to be maintained by the Private Funds of the founders alone, the exclusiveness of their religious opinions would be a matter of no importance. But this is not the case. The Act purposes that the Governor should be authorized to take from the Funds of King's College a sum adequate to the maintenance, at the College of Kingston, of a Theological Professorship, ~~when~~ payment is to be received by the Church of Scotland, as a satisfaction of the claims of that church to have a Theological Professor of their own maintained at King's College. This, therefore, is a distinct avowal of the principle that the Funds of King's College are to be applied, not for the purposes of Education in which the members of every Christian Society can participate, but for purposes of Education from which many Christians must necessarily be excluded. If this Act be sanctioned, I am not aware how it will be possible to refuse a corresponding advantage to the members of any other Christian Church, by which a separate College or University might be established. Thus the Funds of King's College, instead of being appropriated to purposes in which all the inhabitants would be equally interested, must be drained for the support of

(422)

Chairs of Theology in as many different Universities as may be founded in Upper Canada. Now the principle for which the Assembly of that Province have so earnestly contended, is directly opposed to such an employment of these Funds; the House has invariably maintained that they should be sacred to purposes of general Education, in the higher branches of Literature and Science, for the common benefit of society at large. The establishment of a Professorship of Theology in connection with the Church of England was deprecated as an infringement of this principle. Is it less infringed by providing for such Professorship in connection with the Church of Scotland? If this step be taken, I do not perceive how the benefit of the precedent could be refused to the Roman Catholics, to the Wesleyan Methodist, or indeed to any other of the sects which divide between them the population of Upper Canada. If all are thus to be aided in disseminating their peculiar views of Christianity, the Government would speedily be involved in certain polemical questions of Theology, into which it is, on every account, most undesirable that the secular power should in any manner engage.

I am the more impressed with the importance of maturely considering this measure, because when I refer to the Charter of King's College, it is impossible not to perceive that the design of its authors was to secure the predominance in that Body of the Church of England. It may have been inevitable that this design should be frustrated by the resistance of the popular branch of the Legislature, supported as it was by public opinion. But, if the Church of England has been refused the means of carrying this Charter into effect, according to the obvious design of it, it would seem indefensible to give to another church the very privilege which has thus been practically denied to the Church of England; and to maintain the principle of exclusiveness, at the expense of King's College, at the very moment when the operations of the College have been defeated, because its Constitution embraces that principle. If the Church of England is not to possess privileges to the disadvantage of other Churches, it must, at least, follow that other Churches should not possess privileges to her disadvantage.

In deference, however, to your Lordship's apparent approbation of this Law, Her Majesty's decision on it will be suspended until I shall be in possession of your views on the subject, and your answer to the preceding remarks. Some facts may have escaped my attention, upon which you have relied in forming your judgment.

Ordered, That five hundred copies of the said Despatch be printed for the use of the Members of this House.

The Honourable Mr. Attorney General Draper rose in his place, and acquainted Mr. Speaker and the House, that His Excellency, the Governor General, will receive this House, with its Addresses, of the fourth and twenty-sixth instant, to Her Majesty, and of the twenty-fourth and twenty-sixth instant, to His Excellency, to-morrow, at three o'clock, P.M. at the Government House.

Supply.

The Order of the Day for the House in Committee, to consider of the Supply granted to Her Majesty, being read.

Ordered, That the said Order of the Day be postponed until to-morrow.

Pedlars.

The Order of the Day for the second reading of the Bill, to prevent Pedlars and other persons to sell goods within the limits of the city of Quebec, being read,

The said Bill was read accordingly.

Mr. Laurin moved, seconded by Mr. Lacoste, that the said Bill be now committed to a Committee of the whole House.

It was opposed by MR. ((GEORGE)) SHERWOOD, of Brockville, MESSRS. JOHNSTON, CHRISTIE, DUNLOP, and DE BLEURY.<sup>31</sup>

(422)

*The question having been put on the said motion, a division ensued, and it passed in the negative.*<sup>32</sup>

Registration,  
County of  
Hastings.

*The Order of the Day for the second reading of the Bill, to make valid the Registration of Title-Deeds and other documents, in the county of Hastings, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Ermatinger took the chair of the Committee,*<sup>33</sup>

MR. DRAPER objected to the bill<sup>34</sup>. ((He)) said, that before the House legislated upon the subject it ought to be acquainted with the extent to which the deficient registration extended, or it might have the effect of doing away with the good of registration<sup>35</sup>, and therefore the bill might be productive of more injury than good.<sup>36</sup>

((There was some discussion.))<sup>37</sup>

The bill was thrown out<sup>38</sup>.

(422)

*and after some time spent therein,*

*Mr. Speaker resumed the chair.*

Duties on Stills.

*An engrossed Bill, to repeal an Act of the present Session, relative to the Duties on Stills, and to make further provision on the same subject, was read for the third time.*

*Mr. Cameron moved, seconded by Mr. Greive, that the following engrossed Clause be added to the said Bill, by way of Ryder, and do follow the fourth Clause thereof.*

*"Provided always, that if the amount of duty payable by any party, for a license to use any still or stills, shall amount to, or exceed one hundred pounds, currency, such amount may be paid quarterly, one-fourth at the time of taking out the license, and the one-fourth at the end of each three months thereafter, until the whole be paid; and the amount due at any time shall be recoverable with costs, of any process by which debts to the Crown may be recovered, and*

the party by whom any such duty shall be due and unpaid, shall be deemed to be without a license until the same be paid in full, and shall be liable to the penalty imposed on persons acting as distillers without a license, if, during the time the same shall remain unpaid, such party shall use any still or stills, or act as a distiller."

The said Clause being thrice read, and the question being put thereon, it was agreed to by the House.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Robinson do carry the said Bill to the Legislative Council, and desire their concurrence.

Registration                      An engrossed Bill, to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles to, and Incumbrances upon Real Property in Lower Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lacoste do carry the said Bill to the Legislative Council, and desire their concurrence.

To continue                      An engrossed Bill, to continue further for several Acts.                      a limited time the several Acts therein mentioned, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to continue for a limited time the several Acts therein mentioned."

(423)

Ordered, That the Honourable Mr. Aylwin do carry the said Bill to the Legislative Council, and desire their concurrence.

Aprons to                      An engrossed Bill, to provide more effectually Mill Dams.                      for the construction of Aprons to Mill Dams on streams in Upper Canada, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to provide more effectually for the construction of Aprons to Mill Dams or streams in the district of Huron."

Ordered, That Mr. Dunlop do carry the said Bill to the Legislative Council, and desire their concurrence.



Quebec Medi-  
cal School.

An engrossed Bill to incorporate the Quebec Medical School, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to incorporate the Quebec School of Medicine."

Ordered, That Mr. Taché do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

LEGISLATIVE COUNCIL,  
Thursday, 27th March, 1845.

Petitions to  
Her Majesty and  
both Houses of  
the Imperial  
Parliament.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that His Excellency, the Governor General, has appointed to-morrow at three o'clock, P.M., at the Government House, to be attended with the Petitions of both

Houses to Her Majesty and the two Houses of the Imperial Parliament, relating to the repeal of that provision of the 31st clause of the Imperial Act 3 and 4 William IV., chapter 59, which authorizes the importation of certain goods in Foreign vessels on the inland waters; to the extension of the Registry Laws of the United Kingdom to British vessels employed on the said waters; and to the right of persons naturalized by Provincial Acts to the privileges of British subjects in matters connected with Trade and Navigation, and that the Legislative Council do intend to be there at that time.

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And then he withdrew.

Mechanics'  
Institute,  
Montreal.

The Order of the Day for the second reading of the Bill to incorporate the Mechanics' Institute of Montreal, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Christie took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Christie reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

St. Catharines  
Incorporation.

The Order of the Day for the second reading of the Bill to incorporate the town of St. Catharines, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonell, of Dundas, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonell reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Commutation  
of Tenure.

The Order of the Day for the House in Committee on the Bill the better to facilitate commutation of the Tenure en roture in the Seigniories and Fiefs in Lower Canada, into that of Free and Common Soccage, being read,

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chauveau reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Common  
School Houses,  
Upper Canada.

Mr. Powell moved, seconded by Mr. Roblin, that the Order of the Day for the second reading of the Bill to provide for the erection of Common

School Houses in Upper Canada, and for other purposes therein mentioned, be now read.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Report on the  
Petition of M.  
F. Valois and  
others, and  
other Petitions.

The Order of the Day for the House in Committee, on the First Report of the Select Committee, to which were referred the Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; the Petition of the Reverend Antoine Duransaux and others, inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Brunet and others, of Ste. Anne, Pointe Claire, and other parishes, and other references, being read,

On motion of Mr. Lantier, seconded by Mr. Macdonell, of Dundas,

Ordered, That the said Order of the Day be discharged, and that the said Report, and Petition of M. F. Valois and others, inhabitants of Lachine and other parishes; and the Petition of E. M'Naughton and others, of the island of Montreal, be severally referred to a Select Committee, composed of Mr. Lantier, Mr. Macdonell, of Dundas, and Mr. Guillet, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That it be an instruction to the said Committee to inquire into the merits of the Petition of E. M'Naughton and others, of the island of Montreal, and to receive upon the prayer of the different Petitioners, the evidence of the Chairman of the Board of Works,

(424)

College of  
Regiopolis.

The Order of the Day for the House in Committee on the Bill to authorize the conveyance of certain Real Estates to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount, being read,

The House accordingly resolved itself into the said Committee.

Mr. Boulton took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Boulton reported that the Committee had gone through the

Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill to authorize the conveyance of certain Real Estates to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald, of Kingston, do carry the said Bill to the Legislative Council, and desire their concurrence.

Mutual  
Insurance  
Companies,  
Montreal.

The Order of the Day for the second reading of the Bill to amend the Act authorizing the establishment of Mutual Fire Insurance Companies, and the Act to continue and amend the same, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Gowan took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gowan reported, that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

Petition of M.  
F. Valois and  
others, and  
other Petitions.

The Order of the Day for the House in Committee on the Second Report of the Select Committee, to which were referred the Petition of M. F. Valois and others, inhabitants of Lachine, and other parishes; the Petition of the Reverend Antoine Duransaux and others, inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent, in the parish of St. Laurent; and the Petition of Hyacinthe Brunet and others, of Ste. Anne, Pointe Claire, and other parishes, and other references, being read,

The House accordingly resolved itself into the said Committee.



Mr. Boulton took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Boulton reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Pilots. The Order of the Day for the House in Committee on the Bill to compel Pilots to qualify themselves for piloting vessels through all the channels of the river St. Lawrence below Quebec, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. Foster took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Foster reported that the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then the House adjourned.

FOOTNOTES - 27 MARCH 1845.

1. LE CANADIEN, 31 March 1845, reported that "La séance de jeudi matin fut employée tout entière en débats sur la réception du rapport du comité sur les réclamations de MM. Andres...."
2. The debate on this motion was reported by: LE CANADIEN, 31 March 1845; LE JOURNAL DE QUEBEC, 1 April 1845; MONTREAL GAZETTE, 29 March 1845, BRITISH WHIG, 1 April 1845, MONTREAL TRANSCRIPT, 29 March 1845, and KINGSTON CHRONICLE, 2 April 1845, in partially identical accounts; and PILOT, 29 March 1845, whose account was copied by the BROCKVILLE RECORDER, 3 April 1845. The accounts in the MONTREAL GAZETTE, MONTREAL TRANSCRIPT, BRITISH WHIG, KINGSTON CHRONICLE, PILOT, and BROCKVILLE RECORDER contain some identical speeches, and some which are completely dissimilar.
3. PILOT, 29 March 1845.
4. MONTREAL GAZETTE, 29 March 1845.
5. PILOT, 29 March 1845.
6. MONTREAL GAZETTE, 29 March 1845.
7. PILOT, 29 March 1845.
8. MONTREAL GAZETTE, 29 March 1845.
9. PILOT, 29 March 1845.
10. IBID.
11. IBID.
12. IBID.
13. MONTREAL GAZETTE, 29 March 1845.
14. PILOT, 29 March 1845.
15. IBID.
16. IBID.
17. MONTREAL GAZETTE, 29 March 1845.
18. PILOT, 29 March 1845.
19. MONTREAL GAZETTE, 29 March 1845.
20. PILOT, 29 March 1845.
21. MONTREAL GAZETTE, 29 March 1845.
22. IBID.
23. IBID.
24. The debate on this motion was reported by: MONTREAL GAZETTE, 29 March 1845, BRITISH WHIG, 1 April 1845, and KINGSTON CHRONICLE, 2 April 1845, in identical accounts. KINGSTON NEWS, 3 April 1845, noted the debate.
25. MONTREAL GAZETTE, 29 March 1845.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. MONTREAL GAZETTE, 29 March 1845, which reported that: "Mr. Baldwin was asleep at the time the vote was taken, and being called upon to vote, rose in a state of happy ignorance of the question, and was greeted with loud cheers, and clapping of hands."

31. MONTREAL GAZETTE, 29 March 1845.
32. According to MONTREAL GAZETTE, 29 March 1845, no one voted in favour of this motion.
33. The debate on this matter was reported by: MONTREAL GAZETTE, 29 March 1845; and KINGSTON NEWS, 3 April 1845.
34. KINGSTON NEWS, 3 April 1845.
35. MONTREAL GAZETTE, 29 March 1845.
36. KINGSTON NEWS, 3 April 1845.
37. MONTREAL GAZETTE, 29 March 1845.
38. IBID.

FRIDAY, 28 MARCH 1845.

(424)

Petitions  
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Boulton, the Petition of the Reverend Robert Knight and others, members of the Church of England, in the township of Frampton, in the county of Dorchester, and other places.

By Mr. M'Connell, the Petition of Samuel S. Sykes and others, of the township of Dunham.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of the President, Directors, and Company of the Bronté Harbour, praying for an extension of the time allowed them to complete the said Harbour.

Of William Botham and others, of the county of Missisquoi, praying that no change may be made in the present disposition of the Clergy Reserves.

Of James Burns and John Gordon, merchants at Montreal, praying to be relieved from the payment of wharfage on Wheat, in cases where transshipment is made in the stream.

Cheap rate  
of Postage.

Mr. Hale, from the Select Committee, to which was referred the Petition of J. H. Maitland and J. C. Becket, of the Canada Sunday School Union, praying that measures be adopted to establish a cheap and uniform rate of postage, and all other Petitions presented to this House upon the subject of the Post Office, and other references, presented to the House, the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix P. P. P.)

Fifth Report,  
Contingencies.

Mr. Roblin, from the Standing Committee, on Contingencies, presented to the House the Fifth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have considered the Petition of John Healy, have made enquiry into the circumstances of his case, and have agreed to recommend that £20 a-year be granted to him out of the Contingencies of your Honourable House.



*In reference to the Petition of Gabriel Marchand and P. P. Demaray, the former as a Commissioner, and the latter a Clerk, praying for remuneration for services performed in taking evidence upon the contested Election for the county of Missisquoi in 1831; your Committee find that the accounts were sanctioned by the Assembly of Lower Canada, but never*

(425)

*paid; they therefore recommend their payment, viz. to Gabriel Marchand, the sum of £13 2s. 11d., and to P. P. Demaray the sum of £9 16s. 10d.*

*Your Committee would recommend that the sum of £50 be paid to the Keeper of the Inner Door, for his services for the present Session.*

*The attention of your Committee has been called to the consideration of a claim of the Chief Office Clerk to your Honourable House, to remuneration for his services in acting for the past three years as Deputy Clerk during the recesses of Parliament: Your Committee find, that on the 16th September 1841, Mr. Speaker reported to the House the following letter from the Clerk, viz.:--*

"CLERK'S OFFICE, LEGISLATIVE ASSEMBLY,

"Kingston, 15th September, 1841.

"SIR,

*"As I have a considerable portion of the work connected with the printing of the Journals of the last Session of the Special Council, to superintend, and the work is undertaken, and must be completed at Quebec, I am desirous of availing myself, with the permission of the Honourable the Legislative Assembly, of the power given me by my commission, as its Clerk, by appointing a Deputy to act for me here during the recess; and I therefore respectfully request that you will lay this application before the House, if you are of opinion that it can be conveniently granted. The gentleman whom I propose to appoint as my Deputy, is William Poyntz Patrick, Esquire, one of the Officers of the House, whose long experience in the service of the Assembly of the late Province of Upper Canada, has perfectly qualified him to undertake the duty; and in whose diligence and attention I have the fullest confidence,*

*I have, &c.*

W. B. LINDSAY,

Clerk Assembly.

*"To the Honourable the Speaker  
of the Legislative Assembly."*

And upon this letter the following Resolution was passed, touching the same, viz:--

"On motion of Mr. Neilson, seconded by Mr. Aylwin,

"Resolved, That this House doth approve of the Clerk of this House appointing William Poyntz Patrick, Esquire, to act as his Deputy during the Recess of Parliament."

That your Committee have taken evidence from the Clerk as to the Duties performed by his said Deputy, who states that they have been satisfactorily performed by him from the time of his appointment to the commencement of the present Session, and that those duties have been as well laborious as responsible. Your Committee therefore feel bound to recommend the case to the favourable consideration of your Honourable House, and herewith beg to report a blank Resolution, to be filled up with such sum as your Honourable House may see fit.

The sum of £100 to the Clerk for House Rent, and £60 to the Clerk Assistant, for his usual extra Sessional allowance have been, since 1841, yearly paid to those Officers, and £20 additional Salary to the Door-keeper; your Committee therefore would recommend the like sums for the present year.

Your Committee would recommend that an allowance of £10 each be made to H. Hartney, H. Barton, and W. LeMoine, extra writers, for their travelling expenses; and they would also recommend that £5 each be allowed to the following Messengers:--Robert Defries, Robert Baillie, Michael M'Carthy, James Vollar, John Healy, John Kay, Alexander Dickson, and William M'Crae, a like sum having been heretofore granted for their travelling expenses in coming to, and returning from the Seat of Government. Your Committee have recommended this payment, with the express provision that it will not be allowed in future.

The Report of the Special Committee on the Report of Charles J. de Montreuil being referred to your Committee, they beg to report that they have agreed to recommend that the sum of £13 15s. be paid to the Petitioner, as the recognized legatee of Amable Schindler, this being a balance due her as Housekeeper to the late House of Assembly of Lower Canada.

Your Committee, in obedience to the instruction of your Honourable House, have examined into the claims of such of the Officers of the House as have incurred expenses in consequence of the removal of the Seat of Government, and they beg leave to recommend that the under-mentioned sums be granted, as a final compensation for all expenses incurred, or to be incurred, in consequence of the late removals of the Seat of Government:--

W. B. Lindsay . . . . .	£25	0	0
G. B. Faribault . . . . .	25	0	0
W. P. Patrick . . . . .	25	0	0
G. W. Wicksteed . . . . .	25	0	0
William Ross . . . . .	25	0	0
Alfred Patrick . . . . .	20	0	0
Thomas Vaux . . . . .	25	0	0
Henri Voyer . . . . .	5	0	0
P. Gagnon . . . . .	25	0	0
G. M. Muir . . . . .	25	0	0
Alfred Todd . . . . .	20	0	0
J. B. Moraud . . . . .	15	0	0
William Winder . . . . .	21	10	0
A. L. Cardinal . . . . .	22	10	0
H. M'Lennan . . . . .	17	10	0

They beg leave, in conclusion, to recommend that an Address to His Excellency be passed, praying for a further advance of £9,187 2s. 1½d., on account of the Contingencies of the present year.

*Estimate of Contingencies for the first Session and Recess of the Second Parliament; for the payment of Arrears of the last Session and Recess beyond the former Estimate; and for the Salaries of the Officers, from the 31st December, 1844, to the 31st December, 1845:*

Legislative Assembly.

Salaries, including the Clerks, Translators, Librarians, Sergeant-at-Arms, Door-keeper, and Chief Messenger . . . . .	£3250	0	0
Extra Clerks, (including those employed in the Translator's Office) . . . . .	1000	0	0
Messengers . . . . .	750	0	0
Witnesses, and other expenses of Committee . . . . .	500	0	0
Books, &c., for Library . . . . .	500	0	0
Postage . . . . .	2789	0	0
Printing and Binding . . . . .	6199	0	0
Stationery . . . . .	1085	0	0
Newspapers and Publishing . . . . .	250	0	0
Fuel, including Wood, Coal, and Coke . . . . .	100	0	0

(426)

Incidental on removing to <u>Montreal</u> , (including Cabinet-making, Carpets, &c.) . . . . .	1500	0	0
Carpentering . . . . .	80	0	0
Sundry Trades' People and others, (including Oil, Candles, &c.) . . . . .	950	0	0
Insurance . . . . .	50	0	0
Petty Contingencies . . . . .	100	0	0
	£19103	0	0

Received on two Addresses this Session	£9000	0	0	
Amount of Fees received on Private				
Bills . . . . .	280	0	0	
Balance in hands of the Clerk at last				
Audit . . . . .	1464	2	7 $\frac{3}{4}$	
				10744 2 7 $\frac{3}{4}$
(Required by Address) . . . . .				8358 17 4 $\frac{1}{4}$
Sum required to cover recommendations in Final Report . . . . .				828 4 9
Total . . . . .	£9187	2	1 $\frac{1}{4}$	

Winter Roads.

Mr. Colville moved, seconded by the Honourable Mr. DeBleury, that the amendments made by the Legislative Council to the Bill, intituled, "An Act further to amend the Laws relative to Winter Roads in Lower Canada," be now taken into consideration.

Mr. Armstrong moved, in amendment, seconded by Mr. DeWitt, that the word "now," in the said motion, be struck out, and the following substituted: "this day six months."

The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Cauchon, Desaunier, DeWitt, Hall, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonell of STORMONT, Merritt, Méthot, Morin, Nelson, Papineau, Powell, Price, Roblin, Rousseau, and Taché--(28.)

NAYS.

Chalmers, Colville, DeBleury, Dickson, Duggan, Dunlop, Attorney General Draper, Ermatinger, Gowan, Greive, Hale, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Murney, Robinson, Scott, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, and Williams.--(26.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, a division ensued, and it was carried in the affirmative, and

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act further to amend the Laws relative to Winter Roads in Lower Canada," be taken into consideration this day six months.

On motion of Mr. Roblin, seconded by Mr. Williams,



Contingencies.

*Resolved, That this House do now resolve itself into a Committee of the whole House on the Fifth Report of the Standing Committee on Contingencies.*

*The House accordingly resolved itself into the said Committee.*

*Mr. Hale took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Hale reported that the Committee had come to several Resolutions; which resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--*

- 1. Resolved, That it is expedient to allow to John Healy, a Messenger in the service of this House, the sum of twenty pounds, per annum, from the Contingencies, as a retired allowance, from the end of the present Session.*
- 2. Resolved, That there be allowed to Gabriel Marchand, the sum of thirteen pounds, two shillings and elevenpence, as Commissioner, and to P. P. Demaray, the sum of nine pounds, sixteen shillings and tenpence, currency, as Clerk, for their services in taking evidence upon the contested Election for the county of Missisquoi, in 1831.*
- 3. Resolved, That there be paid to the Keeper of the Inner Door of the Legislative Assembly, the sum of fifty pounds, for his services for the present Session.*
- 4. Resolved, That there be allowed to William P. Patrick, Esquire, Chief Clerk, to remunerate him for his services in acting as Deputy Clerk, during the recess for the three past years, the sum of fifty pounds, in addition to his salary, for each of the three years during which he has acted in that capacity.*
- 5. Resolved, That there be paid to the Clerk of this House, the usual allowance to him of one hundred pounds, for house rent, and to the Clerk Assistant, the sum of sixty pounds for his usual extra Sessional allowance.*
- 6. Resolved, That the Doorkeeper be allowed the sum of twenty pounds in addition to his Salary for the present year.*
- 7. Resolved, That the sum of ten pounds be allowed to each of the following extra Writers, to pay their expenses in travelling to the Seat of Government, to attend the present Session, viz., Henry Hartney, King Barton, William LeMoine, and to the Sergeant-at-Arms, and to Mr. Thaddeus Patrick.*

8. Resolved, That there be allowed to the following Messengers, the sum of five pounds to each to cover their travelling expenses to the Seat of Government, at the commencement of the present Session, viz., Robert Defries, Robert Baillie, Michael M'Carthy, James Vollar, John Healy, John Kay, Alexander Dickson, and William M'Crae.

9. Resolved, That no allowance will in future be made to any person in the employ of this House, who may not reside at the Seat of Government, for travelling expenses, in coming to attend his duties.

10. Resolved, That there be allowed to Charles J. de Montreuil, as the recognized Legatee of Amable Schindler, the sum of thirteen pounds, fifteen shillings, currency, being a balance due her, as Housekeeper to the late House of Assembly of Lower Canada.

11. Resolved, That there be allowed to the undermentioned Officers of this House, the sums set opposite to their respective names, to compensate them for travelling expenses incurred by them in consequence of the removal of the Seat of Government, viz.:--

(427)

Messrs. Lindsay, Faribault, W. P. Patrick,  
Wicksteed, Ross, Vaux, Gagnon, and

<u>Muir</u> , . . . . .	£25	0	0	each
" <u>A. Patrick and Alfred Todd</u> , . . . . .	20	0	0	each
" <u>Dr. Winder</u> , . . . . .	21	0	10	
" <u>J. B. Moraud</u> , . . . . .	15	0	0	
" <u>H. Voyer</u> , . . . . .	5	0	0	
" <u>A. Leroux dit Cardinal</u> , . . . . .	22	10	0	
" <u>H. M'Lennan</u> , . . . . .	17	10	0	

12. Resolved, That Messieurs Dénéchaud, Berthelot, Spinks, Burrage, Taylor and Hall, be considered as Extra Clerks, and as such entitled to a remuneration of fifteen shillings per diem.

13. Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to issue his Warrant in favour of W. B. Lindsay, Esquire, Clerk of this House, for the further sum of nine thousand one hundred and eighty-seven pounds, two shillings and one penny farthing, towards defraying the Contingent Expenses of the present year, and assuring His Excellency that this House will make good the same at the next Session.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Dunlop, seconded by Mr. Christie,

Sessional Allowance.

Resolved, That the Sessional allowance for the present Session to Members, be: To those who have attended since the opening of Parliament, and not been absent without leave for more than twenty days, one hundred pounds, and mileage at the rate of ten shillings for twenty miles, in coming to Parliament, and thence in returning home; and to Members elected during the present Session, an allowance in proportion.

On motion of the Honourable Mr. DeBleury, seconded by Mr. Gowan,

Royal Institution.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to revoke the Commissions of the present members of the Board of the Royal Institution, and to appoint a sufficient number of members resident in Montreal, to constitute a quorum of the said Board, and to fix their place of meeting at Montreal, in accordance with the authority given to His Excellency in this behalf by the 41st George III., chapter 17.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Indian Department.

Ordered, That five hundred copies of the Return to an Address of this House to His Excellency, the Governor General, on the subject of the Indian Department, be printed for the use of the Members of this House.

On motion of Mr. Hale, seconded by Mr. Williams,

Post Office Department.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that He will be pleased to use his endeavour to procure during the Recess from the Home Government, for the information of the Legislature, a copy of the Report of the Commission appointed to enquire into the Post Office Department.<sup>1</sup>

He ((MR. HALE)) stated that the House had inquired into the particulars of the report which had been prepared in the time of Lord Sydenham as to the management of that department, but that they had found that the only copy in the Province was in the possession of the Postmaster General, who did not feel himself authorized to give it up. They therefore recommended that an address should be presented to Her Majesty, praying that the report should be communicated, as it was supposed that the original document was in the possession of the Home government.<sup>2</sup>

MR. GOWAN thought that the Committee ought to have compelled the Post Master General to give the necessary information.<sup>3</sup>

MR. HALE explained: the Provincial Postmaster was a servant of the Home Government, and the Committee felt that it would be a matter of great delicacy to attempt to compel him to produce a document which he held in that capacity. That gentleman had shown no disposition to keep back from the Committee any information which it was in his power to afford; and there was no doubt that the Home Government would readily comply with the wishes of the House.<sup>4</sup>

MR. BALDWIN and MR. MOFFATT concurred in the wisdom of the manner in which the Committee had exercised its discretion. - They saw no use in unnecessarily embroiling the House with the Home Government; especially as there was no doubt its wishes would be acceded to if they were respectfully submitted.<sup>5</sup>

(427)

*Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.*

Clergy  
Reserves.

*Mr. Chalmers, from the Select Committee, to which was referred the Petition of John Wettenhall and others, of the township of Nelson, in the district of Gore, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--*

*After many years of discussion and political excitement, from the consequences of which this Province has not yet recovered, the question relating to the disposal of the Clergy Reserves was set at rest by the Imperial Statute 3 and 4 Victoria, chapter 78. This Act provides for the sale of the Reserves, and distribution of the proceeds in a manner which was intended by the Imperial Legislature to be the final settlement of the matter, and which has been accepted by the inhabitants of this Province as such. Notwithstanding this final disposition of the Lands in question, numerous Petitions have been presented by the Church Societies of Toronto and Quebec, and others, in favour of giving to the Church of England its share of the Lands, according to the proportion of the funds assigned by the said Act, for the support of that Church.*

*Petitions nearly as numerous against this proposition, have been referred to your Committee, and they have great reason to fear, that if this scheme should be adopted, the country will again be agitated by a renewed discussion on the subject.*

*The assignment to the Church of England of its proportion of the Lands, involves, as a matter of course, the conveyance to the Church of Scotland of its share also; and doubtless, the other religious denominations will feel themselves entitled to the controul and management of their several proportions.*



After a careful consideration of the subject, your Committee have come to the conclusion, that while the advantages of dividing the Clergy Reserves, as prayed for, are very doubtful, the disadvantages are certain and obvious.

In the first place, it will be difficult, if not impracticable, to make a satisfactory division. In order to approximate to a fair division, an enormous expense must be incurred in valuing each Lot separately, and even then there will be a rivalry as to choice and location, and suspicions will (with or without reason,) be created of favoritism towards some particular sect or sects. According to the present law, the management and disposal of the Lands are in the hands of a Government responsible for the same, and over whom the Legislature can exercise an active supervision. Should the proposed distribution take place, they would be placed beyond the controul of Parliament, and vested in Ecclesiastical Corporations, responsible to no one, and which will dispose of them to their own advantage, and without reference to the general good.

The progress of improvement in Canada, has, it is generally believed, been greatly impeded by the accumulation of its uncultivated land in the hands of owners, who will not bring their property to sale, but retain it as a matter of speculation, and in expectation of a future increase in value, not from any expenditure of capital, but from the industry and skill of neighbouring agriculturists. The conveyance of such a large quantity of land to Corporations, not desirous of disposing of them at

(428)

their present prices, and which intend, not to sell, but to lease, would, in your Commission's opinion, greatly increase this evil, and would have a tendency to substitute an inferior order of tenantry, for an independent body of yeomenry.

Great apprehension is expressed by the Petitioners, lest the interests of those occupants of Clergy Reserves, who hold by lease or otherwise, should suffer by the proposed transfer of their Lands. The Government very properly gives such occupants every opportunity of earning the purchase money from the cultivation of the land itself, and thus enable many an industrious man to become a freeholder and owner of property, which he could not in any other way hope to acquire. This is not likely to be the case, when the Lands are vested in private parties, whose object is to sell at the largest prices and receive the highest rents; your Committee, therefore, earnestly recommend that the interests of all parties now occupying these Lands should be fully protected and provided for, in any arrangement that may be made.

While your Committee are of opinion, that any transfer of the controul of the Clergy Reserves from the Government is inadvisable, they, at the same time, must express their regret, that the Crown Lands Department have hitherto conducted the management so expensively, and with so little advantage to the fund.

*Should the present system be persisted in, the whole endowment will be wasted and swallowed up, by the expense of management, and the benefits intended to be conferred on the Province will be lost.*

*On enquiry, your Committee are convinced that the whole management of the Lands could be profitably undertaken by competent persons who would agree to defray every attendant expense, for the moderate remuneration of seven and a half per cent on the proceeds of the actual sales. And they sincerely hope that the Government will lose no time in making so desirable an arrangement.*

Ordered, That five hundred copies of the said Report be printed for the use of the Members of this House.

*On motion of Mr. Macdonell, of Stormont, seconded by Mr. Roblin,*

Public Lands. Ordered, That the Bill to extend the provisions of the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to enable persons who located Lands prior to the fourth April, 1839, to perfect their titles to the same, be now committed to a Committee of the whole House.

*The House accordingly resolved itself into the said Committee.*

*Mr. Gowan took the chair of the Committee,*<sup>6</sup>

MR. MERRITT opposed the Bill on the ground of the impossibility of satisfactorily adjusting all the claims referred to.<sup>7</sup> ((He)) contended, that instead of the lands which yet remained to the country being wasted, as the rest had been they ought to be kept for the purpose to which it had long been understood they would be applied; the establishment and maintenance of common schools.<sup>8</sup>

MR. INSPECTOR GENERAL ((ROBINSON)) thought that at this late period the measure could not be properly considered.<sup>9</sup>

MR. COLVILLE moved that the committee should rise; he did so without reference to the merits of the Bill and only because he thought there was not sufficient time to examine the question.<sup>10</sup>

MR. CAMERON said that he wished the principle of the Bill to be recognized because of the many just claims which it involved and which were shamefully neglected by three successive Administrations.<sup>11</sup>

MR. BALDWIN said he did not rise to affirm or disaffirm the justice of the claims involved in the Bill but to remark upon the conduct of the Administration in taking up the Militia claims of Lower Canada during the Interregnum. It was one thing to admit the propriety of the present Bill and quite another to agree with the course taken by the hon. member

for Megantic, when he was the embodiment of an Administration, in undertaking to fly in the very face of an act of Parliament by issuing a quantity of Scrip for Militia claims in Lower Canada. He (Mr. Baldwin) knew that cases some times occurred in which extraordinary action had to be taken by Government but the hon. member for Megantic had offered no proof that any such exigency called for his illegal conduct during the inter-regnum; - he could not, for instance, shew that an enemy was threatening us and that the Militia could only be aroused by the course he had taken, and even if he (the hon. member for Megantic) had established such a fact as this he would still be guilty of a contempt of Parliament in not formally applying for indemnity, - such indemnity should be asked for in the speech from the Throne. In fact no legitimate cause could be assigned for the conduct of the hon. member for Megantic and if anything of the spirit existed in that Parliament which formerly actuated our forefathers in England the hon. member would have to defend himself before the bar of the House, - he would be, and deserved to be impeached. For upwards of a quarter of a century, continued Mr. B. had these Militia claims lain over, various Governments had existed upon none of whom were they urged, neither were they urged at the time of the Union, but then came the famous "antagonism," - the breaking up of a certain Administration, and next came the administration of the honourable member for Megantic, who was the main stay of all Administrations, and this was the time for the Militia claims in Lower Canada to be disposed of; true it was not a question that at all agitated the country, it had been no cause of difference in the late Government. Nevertheless the Daly Administration should seize upon it, - they should reap the laurels of taking it up.<sup>12</sup>

Here MR. DALY rose and asked if Mr. B. questioned the justice of the proceeding.<sup>13</sup>

He (MR. BALDWIN) would remark that he had already said that he did not rise to pronounce upon the justice of the claims in question; no doubt the hon. member for Megantic, notwithstanding all his benevolence of character, would gladly put that construction upon his (Mr. B's.) remarks, but much as he wished the hon. member for Megantic means of escape he would not give him that chance, he would speak only of the issuing of the scrip as a political act, and as such was he Mr. Baldwin, as a public man, obliged to condemn it as one for which there was no kind of justification, no political necessity existed to warrant it and it was in direct defiance of the law. But although no actual necessity existed for this proceeding there was a prospective necessity which the hon. member for Megantic was most anxious to provide for, - there was a coming dissolution of Parliament, and materials were to be picked up with which to strengthen the Daly Administration and to accomplish this it was necessary to pat Lower Canada upon the back, for this did he (Mr. Baldwin) suspect that the scrip was issued, Lower Canada was patted with the hope that forgetful of the great constitutional question at stake she would come to the rescue of the Daly Administration. This was the purpose for which the law was trampled upon to an



extent which deserved the positive impeachment of the perpetrator.<sup>14</sup>

(428)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gowan reported that the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again at the next sitting of this House.

Then, on motion of the Honourable Mr. Robinson, seconded by the Honourable Mr. Attorney General Draper,

The House adjourned until a quarter to three o'clock, P. M. this day.

2:45 O'Clock, P.M.

Petitions to the  
Queen, Lords and  
Commons.

Mr. Speaker reported that both Houses had waited upon His Excellency, the Governor General, with their joint Address to His Excellency, humbly requesting he will be pleased to transmit the joint Petitions on the subject of the importation of certain goods in Foreign vessels on the inland waters, to Her Majesty's Secretary of State for the Colonies, praying that the Petition to Her Majesty may be laid at the foot of the Throne, and that the several Petitions to the Right Honourable the House of Lords, and the Honourable the House of Commons, may be submitted to them respectively; and that His Excellency had been pleased to give the following answer:--

Honourable Gentlemen and Gentlemen,

I will not fail to transmit your joint Petitions to Her Most Gracious Majesty, and to the Lords and Commons of the United Kingdom, to Her Majesty's Secretary of State, according to the desire which you have expressed.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency with the Address of the House.

And being returned,

Duty on  
Tobacco.

Mr. Speaker reported that the House had attended upon His Excellency, the Governor General, with their Address of the fourth instant, to Her Majesty, praying for a reduction of the Duty on Tobacco, the produce of this Province, imported into the United Kingdom, and the Address of the twenty-sixth instant, to Her Majesty,

A. M'Leod.



relative to the imprisonment of Alexander M'Leod, by the authorities of the United States, together with their Addresses of the twenty-fourth and twenty-sixth instant, to His Excellency, the Governor General, praying he would be pleased to transmit the said Addresses to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne; to which His Excellency was pleased to make the following answer:--

GENTLEMEN,

I will not fail to transmit your Addresses to the Secretary of State, in order that they may be laid at the foot of the Throne for Her Majesty's Gracious consideration.

W. M. Kelly.                      Ordered, That the Return to an Address of this House to His Excellency, the Governor General, relative to William Moore Kelly, Esquire, late Collector of Customs at the Port of Toronto, laid before the House on the twenty-fourth instant, be printed for the use of the Members of this House.

Public Lands.                      The Order of the Day for the House in Committee on the Bill to extend the thirteenth section of an Act of the Province of Canada, intituled, "An Act for the Disposal of Public Lands," and to enable persons who located Lands prior to the fourth April, 1839, to perfect their titles to the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. Gowan took the chair of the Committee,<sup>15</sup> and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gowan reported that the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

(429)

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

METCALFE.

Supplementary  
Estimate.

The Governor General recommends to the Legislative Assembly, the accompanying Supplementary

*Estimate of sums required for the service of the present year.*

GOVERNMENT HOUSE,  
Montreal, 19th March, 1845.

*Supplementary Estimate of certain Sums required for the Expenses of the Civil Government of the Province of Canada during the present year:--*

*For Salary of Speaker of the Legislative Council,  
from 8th November to 31st December, 1843, at  
the rate of £1000 currency, per annum . . . . . £ 146 14 9*

<i>Salary for the year 1844 . . . . .</i>	<i>1000 0 0</i>
<i>" for the year 1845 . . . . .</i>	<i>1000 0 0</i>
<i>Total . . . . .</i>	<i>£2146 14 9</i>
<i>Deduct Amount paid on Account . . . . .</i>	<i>250 0 0</i>
<i>Sum for which a provision is required, currency . . .</i>	<i>£1896 14 9</i>

W. B. ROBINSON,  
Inspector General.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 18th March, 1845.

Welland Canal  
Stock.

*Mr. Armstrong, from the Committee of the whole House, on the Bill to amend the Act for purchasing the Stock in the Welland Canal held by private Shareholders, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.*

Ordered, That the said Bill, as amended, be engrossed.

*The Honourable Mr. Attorney General Draper moved, seconded by Mr. Merritt, that the engrossed Bill to amend the Act for purchasing the Stock in the Welland Canal held by private Shareholders, be now read for the third time.*

*The question having been put on the said motion, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*Boulton, Chalmers, Cummings, DeBleury, Duggan, Dunlop, Attorney General Draper, Ermatinger, Foster, Gowan, Greive, Hale, Hall, Johnston, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Merritt, Meyers, Moffatt, Murney, Riddell, Robinson, Roblin, Sherwood of BROCKVILLE, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, and Williams.--(31.)*

## NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Chauveau, Christie, DeWitt, Drummond, Lacoste, LaFontaine, Lantier, Laterrière, Macdonell of STORMONT, Méthot, Morin, Nelson, Powell, Price, Rousseau, Taché, and Thompson--(23.)

*So it was carried in the affirmative,*

*The said Bill was read accordingly.*

Resolved, *That the Bill do pass.*

Ordered, *That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.*

Tolls on  
Public Works.

*The Order of the Day for the second reading of the Bill to make provision for the levying of Tolls on certain Public Works, and for the proper use of the said Works, being read,*

*The said Bill was accordingly read, and committed to a Committee of the whole House.*

*Mr. Drummond took the chair of the Committee, and after some time spent therein,*

*Mr. Speaker resumed the chair,*

*And Mr. Drummond reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.*

Ordered, *That the said Bill, as amended, be engrossed.*

*An engrossed Bill to make provision for the levying of Tolls on certain Public Works, and for the proper use of the said Works, was read for the third time.*

Resolved, *That the Bill do pass.*

Ordered, *That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.*

Mechanics'  
Institute.

*An engrossed Bill to incorporate the Mechanics' Institute of Montreal, was read for the third time.*

Resolved, *That the Bill do pass.*

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Quebec  
Incorporation.

Pursuant to the Resolution of this House of the ninth of September, 1842, the engrossed Bill to amend the Ordinances incorporating the city of Quebec, was brought up to be read for the third time.

The Honourable Mr. Moffatt moved, seconded by Mr. Hale, that the said Bill be amended by striking out the fifth clause.<sup>16</sup>

On this a discussion took place.<sup>17</sup>

(429)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Snalmers, Solville, Cummings, DeBleury, Dickson, Duggan, Dunlop, Attorney General Draper, Ermatinger, Foster, Gowan, Greive, Hale, Jessup, Johnston, Macdonald of CORNWALL, M'Connell, Meyers, Moffatt, Riddell, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Stewart of BYTOWN, and Webster--(27.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Boutillier, Cameron, Cauchon, Chauveau, Daly, Desautier, DeWitt, Drummond, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonell of STORMONT, Merritt, Méthot, Morin, Nelson, Powell, Price, Roblin, Scott, Smith of WENTWORTH, Taché and Thompson--(32.)

So it passed in the negative.

The said Bill was then read.

Resolved, That the Bill do pass.

(430)

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council, and desire their concurrence.

Municipal Districts,  
Lower Canada.

An engrossed Bill for ascertaining the liabilities of the several Municipal Districts in Lower Canada, and their means of discharging the same, was read for the third time.



Resolved, That the Bill do pass, and the title be, "An Act for ascertaining the liabilities of the several Municipal Districts of Lower Canada, and their means of discharging the same."

Ordered, That the Honourable Mr. Daly do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Petition of the  
Hon'ble. James  
Crooks.

Resolved, That this House doth concur in the Address to Her Majesty, reported by the Select Committee, to which was referred the Petition of the Honourable James Crooks, of the district of Gore.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be communicated by Message to the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That Mr. Dunlop do carry the said Message to the Legislative Council.

Turnpike  
Roads, Quebec.

Mr. Sherwood, of Brockville, from the Committee of the whole House on the Bill to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads, near Quebec, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads, near Quebec, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chauveau do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal  
Corporation.

Mr. Macdonell, of Stormont, from the Committee of the whole House on the Bill to amend and consolidate the provisions of the "Ordinance to incorporate the City and Town of Montreal," and of a certain Ordinance amending that Ordinance, and to vest certain other powers in the Corporation created by the said first mentioned Ordinance, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table and agreed to by the House.<sup>18</sup>

MR. DE BLEURY moved an amendment to the 15th clause.<sup>19</sup>

MR. LAFONTAINE stated that it was not his intention to oppose this amendment, though he still adhered to the opinion he had expressed respecting the preponderance of voters in the suburb wards.<sup>20</sup>

(430)

Ordered, That the fifteenth clause of the said Bill be expunged, and the following substituted:--

And be it enacted, that the said several Wards shall be represented in the Council of the said City, as follows, to wit, the said East Ward, Centre Ward, and West Ward, by three Councillors each; and the said St. Anne's Ward, the said St. Antoine Ward, and the said St. Lawrence Ward, the said St. Louis Ward, the said St. James' Ward, and the said St. Mary's Ward, respectively, by two Councillors.

And be it enacted, that the term of office of the several Councillors now representing the Queen's Ward, the St. Lawrence Ward, and the St. Mary's Ward, in the said Council, shall expire and be determined on the first day of March, which will be in the year of our Lord, one thousand, eight hundred, and forty-six; and the said Councillors so as aforesaid representing the said several Wards, to wit, the said Queen's Ward, the said St. Lawrence Ward, and the said St. Mary's Ward, in the said Council of the said city, shall then severally go out of office.

And be it enacted, that on the first day of March, which will be in the year of our Lord, one thousand eight hundred and forty-six, the inhabitants, householders, and persons qualified to vote as aforesaid, shall openly assemble in the several Wards aforesaid, and elect from the persons qualified to be Councillors, two fit and proper persons to be Councillors for each of the said Wards herein before designated as the St. Ann's Ward, the St. Antoine Ward, the St. Lawrence Ward, the St. Louis Ward, the St. James' Ward, and the St. Mary's Ward respectively, and also from the persons qualified to be Councillors for each of the other three Wards, namely, the East Ward, the Centre Ward, and the West Ward respectively, such number of persons as shall be required to supply the places of those who shall then go out of office; and also from the persons qualified to be Councillors as aforesaid, two fit and proper persons to be Assessors for each of all the said Wards respectively; and that on the first Monday of the month of March in every succeeding year, the inhabitants and persons qualified to vote, as aforesaid, shall openly assemble in the several Wards aforesaid, and elect from the persons qualified to be Councillors for each of such Wards, such number of fit and proper persons as shall be required to supply the places of those who shall then go out of office, and also from the persons qualified to be Councillors as aforesaid, two fit and proper persons to be Assessors for each of the said Wards respectively: Provided always, that if the day so appointed for such Election shall, in any year, happen to be a Holiday, such Election shall take place the day following.

And be it enacted, that no Councillors to be hereafter Elected for any of the said Wards hereinbefore designated, as the St. Ann's Ward, the St. Antoine Ward, the St. Lawrence Ward, the St. Louis Ward, the St. James' Ward and St. Mary's Ward, shall continue in office without being re-elected for any longer period than two years; and that on the first day of March, in each and every year, a Councillor for each and every of the said Wards shall go out of office, and that on the first day of March, which will be in the year of our Lord, one thousand eight hundred and forty-seven, that a Councillor for each of the said St. Ann's, St. Antoine, St. Lawrence, St. Louis, St. James and St. Mary's Wards shall go out of office, who shall have been elected by the smallest number of votes in each of the said Wards, in the year of our Lord, one thousand eight hundred and forty-six, and thenceforward those members of the Council for each of the said Wards respectively, shall go out of office who shall have been members thereof for the longest time without re-election: Provided always, that if any two members of the Council, for any of the said Wards shall have been elected by an equal number of votes in the said year, one thousand eight hundred and forty-six, or if no poll shall have been taken in any of the said Wards, in the said year, then it shall be determined by a majority of the Council, which of the members thereof, for such said Ward, shall go out of office in the year one thousand eight hundred and forty-seven: Provided also, that if, on the first day of March,

(431)

in the year one thousand eight hundred and forty-seven, or any subsequent year, there shall be a vacancy in the office of any Member of the Council for any of the said six Wards, hereinbefore enumerated, who would not, under the provisions of this section, have gone out of office on that day, then a Member of the Council shall be elected for the said Ward or Wards, to fill such vacancy, as well as in the place of the Member who shall then go out of office, under the provisions of this section: And Provided further, that any Member going out of office, may be re-elected, if then qualified according to the provisions of this Act.

Ordered, That the said Bill, as amended, be engrossed.

St. Catharines  
Incorporation.

Mr. Macdonell, of Dundas, from the Committee of the whole House on the Bill to incorporate the town of St. Catharines, reported, according to order, the amendment made by the Committee to the said Bill; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill to incorporate the town of St. Catharines, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Merritt do carry the said Bill to the Legislative Council, and desire their concurrence.

Commutation  
of Tenure.

Mr. Chauveau, from the Committee of the whole House, on the Bill the better to facilitate commutation of Tenure en roture in the Seigniories and Fiefs in Lower Canada, into that of Free and Common Soccage, reported, according to order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill the better to facilitate commutation of the Tenure en roture in the Seigniories and Fiefs in Lower Canada, into that of Free and Common Soccage, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act the better to facilitate optional Commutation of the Tenure of Lands en roture, in the Seigniories and Fiefs in Lower Canada, into that of franc aleu roturier."

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Petition of  
M. F. Valois  
and others,  
&c. &c. &c.

Mr. Boulton, from the Committee of the whole House, on the Second Report of the Select Committee, to which were referred the Petition of M. F. Valois and others, inhabitants of Montreal and its vicinity; the Petition of Gabriel Roy and others, inhabitants of the Côte St. Laurent; and the Petition of Hyacinthe Brunet and others, of Ste. Anne, Pointe Claire, and other parishes, and other references, reported, according to order, the Resolutions of the said Committee; which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

1. Resolved, That it is expedient to authorise the Trustees of the Longueuil and Chambly Turnpike Road, to plank or otherwise improve the road leading along the Basin of Chambly, from the plank road leading to the Horse Boat Ferry, on the said Basin of Chambly, to the plank road leading to the Fort or the Canton of Chambly, and to levy tolls thereon.

2. Resolved, That it is expedient to authorise the said Trustees to raise, by way of loan, a further sum of four thousand pounds, at a rate of interest not exceeding six per cent. per annum; to be applied to the payment of any debt heretofore contracted by them, and of the expense of planking or otherwise improving the road above referred to.



Ordered, That Mr. Lacoste have leave to bring in a Bill to amend and extend the Ordinance relative to the Turnpike Road from Montreal to Chambly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered, That the said Bill be now read a second time.

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Chauveau took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chauveau reported that the Committee had gone through the Bill, and had made an amendment thereto; which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Humber  
Harbour.

The Order of the Day for the House in Committee on the Bill to incorporate certain persons under the name and style of the "President, Directors, and Company of the Humber Harbour and Road Company," being read,

The House accordingly resolved itself into the said Committee.

Mr. Webster took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Webster reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

Supply.

The Order of the Day for the House in Committee, to consider of the Supply granted to Her Majesty, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. DeBleury took the chair of the Committee,<sup>21</sup>

The Attorney General ((MR. JAMES SMITH)) (East) moved that the sum of £1000 be granted as a Sessional allowance to the Speaker of the Legislative Council, and the hon. gentleman receive a further sum of £896, as the arrears of his salary for the previous year.<sup>22</sup>

MR. JOHNSTON ... argued that as the sum of £250 had been voted to the hon. gentleman by Parliament at the end of last session, that sum must be regarded as a full equivalent for his services.<sup>23</sup>

((MR. RIDDELL)) moved an amendment to strike out the £896, leaving the sum of £1000 as the hon. gentleman's yearly salary.<sup>24</sup>

The ATTORNEY GENERAL ((MR. JAMES SMITH)) (East) said that the Parliament of last year in granting the £250, had expressed no opinion on the propriety of giving the usual sessional allowance; he was therefore of opinion that it was only fair that the hon. gentleman should receive the amount for the whole time of his appointment, giving him credit for what he had already received. It would also, he considered, be improper to place the hon. gentleman on a different footing to that on which they had placed their own Speaker.<sup>25</sup>

MR. LAFONTAINE took the same view.<sup>26</sup>

MR. MOFFATT was of opinion that no difference should be made between the two Speakers, but objected to any arrears of the former Parliament being recognized, as such was not the intention of the Parliament at the time, which had given the £250 in full liquidation of all claims.<sup>27</sup>

((MR. CHRISTIE expressed a similar opinion.))<sup>28</sup>

((MR. WILLIAMS expressed a similar opinion.))<sup>29</sup>

MR. GOWAN ... thought the present Parliament ought not to renew the acts of the past, but ought to consider that they had fairly estimated the services of the speaker when they made the grant of £250.<sup>30</sup>

MR. JOHNSTON suggested that the two daubs on the walls of the House which cost £45, should be presented to the Speaker. (Laughter.) Honble. Members who were willing to grant £1000, would be very sorry to have to buy them at £10.<sup>31</sup>

A cry of "five shillings!"<sup>32</sup>

DR. DUNLOP said, a good deal had been said about those two pictures; as for the one which represented Agriculture on her latter end, with her sickle between her finger and thumb instead of cutting her crop - he would not give much for it. The other was a portrait of a very pretty girl, whom he knew very well, and he would not grudge the money for it.

He wished to see the Speakers of the two Houses put upon the same footing. For although he had called the Members of the other House a name at which they were but little pleased, yet he wished to keep upon good terms with them, for like little Red Riding Hood, he had sometimes to go and see his grandmother. (Laughter!) And a very respectable old lady she was, and therefore, they ought to vote her the money to keep her comfortably in her old age. (Laughter!)<sup>33</sup>

On a division, the amendment was lost by a considerable majority <sup>34</sup>.

The Resolution was carried.<sup>35</sup>

(431)

and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. DeBleury reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received this day.

The Honourable Mr. DeBleury also acquainted the House, that he was directed by the Committee to move for leave to sit again this day.

(432)

Ordered, That the Committee have leave to sit again this day.

Supply. The Honourable Mr. DeBleury, from the Committee of the whole House, to consider of the Supply granted to Her Majesty, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and is as followeth:--

Salary to the  
Speaker of  
the Legislative  
Council.

Resolved, That it is the opinion of this Committee, that there be granted to Her Majesty, a sum not exceeding one thousand eight hundred and ninety-six pounds, fourteen shillings and ninepence, to pay the arrears of Salary to the

Speaker of the Legislative Council, and provide for his Salary, for the year 1845.

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Attorney General Draper, that the question of concurrence be now put upon the said Resolution.

*Mr. Riddell moved, in amendment, seconded by Mr. Gowan, that the words "one thousand eight hundred and ninety-six pounds, fourteen shillings and ninepence," in the said motion, be struck out, and the following substituted: "one thousand and ninety-three pounds."*

MR. BALDWIN spoke against the amendment.<sup>36</sup>

MR. BOULTON suggested, that the Honble. Austin Cuvillier ought to receive £1000 for the attention he had given to fitting up the House, and procuring the beautiful pictures with which it is embellished. (Laughter!)<sup>37</sup>

(432)

*The question having been put on the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--*

YEAS.

*Boulton, Colville, Cummings, Dunlop, Ermatinger, Gowan, Johnston, MacDonald of KINGSTON, M'Connell, Merritt, Meyers, Moffatt, Riddell, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of BYTOWN, Webster, and Williams.--*  
(18.)

NAYS.

*Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cauchon, Chauveau, Christie, Daly, DeBleury, DeWitt, Drummond, Attorney General Draper, Foster, Greive, Hale, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Robinson, Solicitor General Sherwood, Attorney General Smith, and Taché.--*(28.)

*So it passed in the negative.*

*The question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--*

YEAS.

*Armstrong, Baldwin, Berthelot, Bertrand, Boutillier, Cauchon, Chauveau, Christie, Daly, DeBleury, DeWitt, Drummond, Attorney General Draper, Foster, Greive, Hale, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Robinson, Solicitor General Sherwood, Attorney General Smith, and Taché.--*(28.)

NAYS.

*Boulton, Colville, Cummings, Dunlop, Ermatinger, Gowan, Johnston, MacDonald of KINGSTON, M'Connell, Merritt, Meyers, Moffatt, Riddell, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of BYTOWN, Webster, and Williams.--*  
(18.)



*So it was carried in the affirmative, and*

Ordered, accordingly.

*And the said Resolution being again read, and the question of concurrence being put thereon, it was agreed to by the House, and*

Resolved, accordingly.

*A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--*

MR. SPEAKER,

*The Legislative Council have passed the following Bills, without any amendment:--*

Expenses of  
the Civil  
Government.

*"An Act to authorize the charge of a certain sum of money therein mentioned, advanced from the Treasury of the Province by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying during a period therein specified, certain necessary and indispensable expenses of the Civil Government of the Province and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity therefor to all concerned."*

Ditto.

*"An Act to make provision for defraying certain Expenses of the Civil Government of this Province for the year one thousand eight hundred and forty-five."*

Seigniors of  
certain Fiefs.

*"An Act to empower the Seigniors of the Fiefs Nazareth, St. Augustin, and St. Joseph, in the city of Montreal, or either of them, to invest the moneys arising from any Commutation of Tenure granted by them, in Real Property and other securities."*

To avoid  
Suits at  
Law.

*"An Act for the limitation of actions, for avoiding Suits at Law, and for rendering a written memorandum necessary to the validity of certain promises and engagements in that part of the Province which heretofore constituted the Province of Lower Canada."*

Ordinance  
Estates.

*"An Act to explain and amend part of an Act passed in the seventh year of Her Majesty's reign, intituled, 'An Act for vesting in the principal officers of Her Majesty's Ordinance the Estates and Property therein described, for granting certain powers to the said officers, and for other purposes therein mentioned.'"*

Assessment on  
certain Lands.

"An Act to declare certain Lands in Upper Canada liable to Assessment, and to oblige the owners of such Lands to make returns thereof to the district Treasurer."

Montreal  
Harbour.

"An Act to provide for the improvement and enlargement of the Harbour of Montreal, to authorize the Commissioners to borrow a further sum of money for that purpose, to consolidate the Laws now in force relating to the same, and for other purposes therein mentioned."

Great Western  
Railroad  
Company.

"An Act to revive certain provisions of the Act incorporating the Great Western Railroad Company, and to enable them to carry on that work."

Fees of Dis-  
trict Officers.

"An Act to regulate the Fees of certain District Officers in that part of this Province called Upper Canada."

To quiet Titles  
to Lands, Lower  
Canada.

"An Act to quiet the title to Lands of persons naturalized under the statute of Lower Canada, passed in the first year of the reign of His late Majesty, King William the Fourth, and for other purposes therein mentioned."

Also,

Militia,  
Lower Canada.

The Legislative Council have passed the Bill, intituled, "An Act to revive and continue for a limited time a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada," with several amendments, to which they desire the concurrence of the Assembly.

Militia,  
Upper Canada.

And then he withdrew.

(433)

Speaker's Salary  
Legislative Council.

Ordered, That the Honourable Mr. Attorney General Smith have leave to bring in a Bill for granting a sum of money for the Salary of the Speaker of the Legislative Council.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered, That the said Bill be now read a second time.

The said Bill was read accordingly.

Ordered, That the said Bill be engrossed.

Mutual  
Assurance  
Companies.

An engrossed Bill to amend the Act authorizing the establishment of Mutual Fire Insurance Companies, and the Act to continue and amend the same, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council, and desire their concurrence.

Supply.

The Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty, being read,

The House accordingly resolved itself into the said Committee.

Mr. Smith, of Frontenac, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Smith reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again this day.

Toronto  
Incorporation.

The Order of the Day for the second reading of the Bill to amend the Act of Incorporation of the City of Toronto Gas Light and Water Company, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Hale took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hale reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be engrossed.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Attorney General Smith,

Militia Laws,  
Lower and Upper  
Canada.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

IN THE BILL.

Press 2, Line 1.--Leave out from "and" to "force" in the eleventh line, both inclusively.

IN THE TITLE.

Line 3.--After "Canada" leave out the remainder of the Title.

And the said amendments being again read,

Resolved, That this House doth disagree with the Legislative Council in the said amendments.

Resolved, That a Select Committee of three Members, composed of the Honourable Mr. Attorney General Draper, the Honourable Mr. Attorney General Smith, and the Honourable Mr. Solicitor General Sherwood, be appointed to draw up reasons to be offered to the Legislative Council at a conference, to be held upon the amendments made by their Honours to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada."

The Honourable Mr. Attorney General Draper, from the Select Committee, appointed to draw up reasons to be offered to the Legislative Council at a conference for disagreeing to the amendments made by their Honours to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada," reported that the Committee had prepared the said reasons; which said reasons were again read at the Clerk's table, and agreed to by the House, and are as followeth:--



Reasons.

Because the annual training of the Militia in Upper Canada, under the present Law, is felt to be a great burden, without any corresponding advantage either to the people, or for the defence of the Province, inasmuch as a meeting of one day in the year is wholly useless for the purpose of military training.

Because the power of the Governor General to call out the Militia in case of emergency is all that is at present necessary for the public service or defence.

Resolved, That a conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them the reasons which induced this House not to concur in the amendments made by their Honours to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper do go to the Legislative Council, and desire the said conference.

Montreal and  
Chambly  
Turnpike Road.

An engrossed Bill to amend and extend the Ordinance relative to the Turnpike Road from Montreal to Chambly, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lacoste do carry the said Bill to the Legislative Council, and desire their concurrence.

McGill College,  
Montreal.

The Order of the Day for the second reading of the Bill, to enable the Corporation of the Governors, Principal, and Fellows, of McGill College at Montreal, to hold the property of the said College, and to dispose of certain portions of Land for the better support of said College, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

(434)

Mr. Meyers took the chair of the Committee,<sup>38</sup>

The bill in its actual shape was opposed by MR. DRAPER, MR. MOFFATT, and MR. HALE, on the ground that it interfered with the wishes of the testator, by removing the controul of the Royal Institution<sup>39</sup>.

An amendment was proposed by the hon. member for Sherbrooke ((MR. HALE)) modifying some of the clauses and restricting the powers sought for by the visitors and fellows of the College<sup>40</sup>.

((This)) amendment was carried.<sup>41</sup>

(434)

and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Meyers reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

Militia Laws,  
Lower and  
Upper Canada.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council agrees to the conference desired upon the subject matter of the amendments made by this House, to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time, a certain provision of the Militia Law of Upper Canada," and that the Managers on the part of this House are to be the Honourable Messieurs Crooks and Fergusson, who are to meet the number of Managers on the part of the Legislative Assembly, required by Parliamentary Usage, presently in the Committee Room of the Legislative Council.

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

Also,

LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

Capture and  
Detention of  
the Schooner  
"Lord Nelson."

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council have agreed to their Address to Her Majesty, on the subject of the capture and detention on the part of the United States Government of the Schooner "Lord Nelson," in the year 1812, by filling up the blank with "Legislative Council and the."

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And also,

LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council have passed the accompanying Address to His Excellency, the Governor General, on the subject of the capture and detention on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812, to which they desire the concurrence of the Legislative Assembly.

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

To His Excellency the Right Honourable CHARLES THEOPHILUS, Baron METCALFE, of Fernhill, in the County of Berks, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and the Vice Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council of Canada, in Provincial Parliament assembled, beg leave to approach Your Excellency with our respectful request, that you will be pleased to transmit our joint Address on the subject of the capture and detention, on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812, in such a way as Your Excellency may deem fit, in order that the same may be laid at the foot of the Throne.

R. E. CARON, Speaker.

LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

And then he withdrew.

Militia Laws,  
Lower and  
Upper Canada.

Resolved, That four Managers be appointed to meet the Managers appointed by the Honourable the Legislative Council, at the time and place appointed, for the holding the conference desired upon the amendments made by their Honours to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper, the Honourable Mr. Attorney General Smith, the Honourable Mr. Solicitor General Sherwood, and Mr. Gowan be appointed Managers on the part of this House.

City of Toronto  
Gas Light and  
Water Company.

An engrossed Bill, to amend the Act of incorporation of the City of Toronto Gas Light and Water Company, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council, and desire their concurrence.

Speaker's Salary  
Legislative  
Council.

An engrossed Bill for granting a sum of money for the Salary of the Speaker of the Legislative Council, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal  
Building  
Society.

The Order of the Day for the second reading of the Bill for the incorporation of certain individuals under the name and style of the Montreal Building Society, being read,

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Christie took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Christie reported that the Committee had gone through the Bill without making any amendment thereto; and the Report was again read at the Clerk's table.



(435)

Ordered, That the said Bill be engrossed.

Winter Roads.

The Order of the Day for the House in Committee, on the Bill to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec to the parish of Nicolet, on the South side of the River St. Lawrence, and to the town of Three Rivers inclusively, on the North side, being read,

The House accordingly resolved itself into the said Committee.

Mr. Johnston took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Johnston reported that the Committee had gone through the Bill, and had made several amendments thereto; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be engrossed.

An engrossed Bill to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the inferior district of Gaspé, and that part of the district of Three Rivers, which extends from the district of Quebec to the parish of Nicolet, on the South side of the River St. Lawrence, and to the town of Three Rivers, inclusively, on the North side, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the District of Quebec, the District of Gaspé, and that part of the District of Three Rivers, which is or was in the Municipal District of Portneuf."

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Johnston, seconded by Mr. Dunlop,

Capture and  
Detention of  
the Schooner  
"Lord Nelson."

Resolved, That this House do concur in the Address of the Honourable the Legislative Council to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to the Queen, on the subject of the cap-

ture and detention, on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812, to Her Majesty's Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne; that the blank therein be filled up with the words "and Legislative Assembly," and that the said Address be signed by Mr. Speaker on behalf of this House.

Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency, the Governor General, on the subject of the capture and detention, on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812.

Ordered, That Mr. Johnston do carry the said Message to the Legislative Council.

Public Ac-  
counts, 1843.

Ordered, That the Third Report of the Special Committee, to which were referred the Public Accounts of 1843, laid before this House the 13th December, 1844, with an instruction and other references, be committed to a Committee of the whole House, to consider of the Supply granted to Her Majesty.

Supply.

The Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty, being read,

The House accordingly resolved itself into the said Committee.

Mr. Macdonald, of Kingston, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Macdonald reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same; and also, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the Report be received to-morrow.

Ordered, That the said Committee have leave to sit again to-morrow.

Montreal  
Incorporation.

An engrossed Bill to amend and consolidate the Provisions of the Ordinance to incorporate the city and town of Montreal, and of a certain Ordinance amending that Ordinance; and to vest certain other powers in the Corporation created by the said first mentioned Ordinance, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. DeBleury do carry the said Bill to the Legislative Council, and desire their concurrence.

McGill  
College.

An engrossed Bill to enable the Corporation of the Governors, Principal, and Fellows of McGill College, at Montreal, to hold the property of the said College, and to dispose of certain portions of Land, for the better support of said College, was read for the third time.

Resolved, That the Bill do pass, and title be, "An Act to enable the Corporation of the Royal Institution for the advancement of Learning, to dispose of certain portions of Land, for the better support of the University of McGill College, at Montreal."

Ordered, That the Honourable Mr. DeBleury do carry the said Bill to the Legislative Council, and desire their concurrence.

Then, the House adjourned.

APPENDIX, 28 MARCH 1845.

((QUESTION AND ANSWER RE: DORCHESTER BRIDGE.))

M. CHAUVEAU ... ((a demandé)) ... à l'administration son intention ... ((au sujet du pont Dorchester.))<sup>42</sup>

M. LE PROCUREUR-GENERAL ((JAMES)) SMITH a répondu que le gouvernement n'avait pas eu le temps d'en venir à une décision sur cette matière; il a fait comprendre, si je ne me trompe, que le gouvernement avait intention de rendre ce pont public; et a dit, en terminant, que pour le moment le principal obstacle était le prix demandé par les propriétaires<sup>43</sup>.

((ERROR IN MONTREAL GAZETTE'S PARLIAMENTARY REPORT FOR 26 MARCH 1845.))<sup>44</sup>

MR. AYLWIN wished to call the attention of the House to a Breach of Privilege.<sup>45</sup> ((He)) complained that the remarks he had made on Tuesday with regard to the Commissioners of Montreal Harbour had been misrepresented in the public prints. Upon that occasion he had said that certain statements had been made to him with respect to the Commissioners, but he had studiously avoided naming any one. However, the Gazette<sup>46</sup> of Thursday, under the head of Parliamentary proceedings<sup>47</sup>, after giving the first part of his observations had added "Mr. Aylwin said, that the person he alluded to was Mr. Rodier."<sup>48</sup> That statement had hurt the feelings of the gentleman alluded to very much, and was altogether incorrect.<sup>49</sup> What he really did say was this - he was acquainted with only one of thi (sic) Commissioners, and that one was Mr. Rodier.<sup>50</sup> The statements he had made were given on the authority of a highly influential and respectable citizen of Montreal, and having been publicly denied, it behoved him to come out and verify them in his proper person. If that person did not do so, he would have made him (Mr. Aylwin,) the vehicle of a slander, from the responsibility of which he himself shrunk, and he did not envy his position.<sup>51</sup>



FOOTNOTES - 28 MARCH 1845.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 29 March 1845, and MONTREAL TRANSCRIPT, 29 March 1845, in identical accounts; BRITISH WHIG, 1 April 1845, and BROCKVILLE RECORDER, 3 April 1845, in identical accounts; and LE CANADIEN, 31 March 1845.
2. BRITISH WHIG, 1 April 1845.
3. IBID.
4. IBID.
5. IBID.
6. The debate on this motion was reported by: BRITISH WHIG, 1 April 1845, and PILOT, 29 March 1845, copied by BROCKVILLE RECORDER, 3 April 1845, in identical accounts.
7. PILOT, 29 March 1845.
8. BROCKVILLE RECORDER, 3 April 1845.
9. PILOT, 29 March 1845.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. According to PILOT, 29 March 1845, "The Bill which elicited the above debate was abandoned by the committee rising."
16. The debate on this motion was reported by: LE CANADIEN, 31 March 1845; and MONTREAL TRANSCRIPT, 29 March 1845. According to both sources, Moffatt's amendment was slightly different from this one. The MONTREAL TRANSCRIPT said, "Mr. Moffatt moved as an amendment that it be not now read, but that it be referred back to the committee to amend the clause giving additional members to the suburb wards."
17. MONTREAL TRANSCRIPT, 29 March 1845.
18. The debate on this motion was reported by: LE CANADIEN, 31 March 1845; MONTREAL TRANSCRIPT, 29 March 1845; and LE JOURNAL DE QUEBEC, 1 April 1845.
19. MONTREAL TRANSCRIPT.
20. IBID.
21. The debate on this matter was reported by: LE CANADIEN, 31 March 1845; BROCKVILLE RECORDER, 3 April 1845; MONTREAL GAZETTE, 29 March 1845, and BRITISH WHIG, 1 April 1845, in identical accounts; and MONTREAL TRANSCRIPT, 29 March 1845.
22. MONTREAL TRANSCRIPT, 29 March 1845.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. MONTREAL GAZETTE, 29 March 1845.
29. MONTREAL TRANSCRIPT, 29 March 1845.
30. IBID.

31. MONTREAL GAZETTE, 29 March 1845.
32. IBID.
33. IBID.
34. MONTREAL TRANSCRIPT, 29 March 1845.
35. MONTREAL GAZETTE, 29 March 1845.
36. IBID.
37. IBID.
38. The debate on this matter was reported by: LE CANADIEN, 3 April 1845; and MONTREAL TRANSCRIPT, 29 March 1845.
39. MONTREAL TRANSCRIPT, 29 March 1845.
40. IBID.
41. IBID.
42. LE JOURNAL DE QUEBEC, 1 April 1845.
43. IBID.
44. The following was reported in BRITISH WHIG, 1 April 1845; and MONTREAL GAZETTE, 29 March 1845, whose reporter explained: "With regard to the statement made by Mr. Aylwin, we assure him that it originated in a misconception of what he said, and no one can regret it more than ourselves. The remark made by the Honble. gentleman was during the time that Mr. Moffatt was speaking, and therefore indistinctly heard. We understood him to say that the Commissioner to whom he alluded was Mr. Rodier; but in the report, its connection with Mr. Moffatt's last remark made it read, that the person to whom he alluded as his informant was Mr. Rodier. However, both constructions, it appears, are incorrect; and we gladly correct an error, which we believe is the first that we have fallen into, during a long and arduous Session."
45. MONTREAL GAZETTE, 29 March 1845.
46. BRITISH WHIG, 1 April 1845.
47. MONTREAL GAZETTE, 29 March 1845.
48. BRITISH WHIG, 1 April 1845.
49. MONTREAL GAZETTE, 29 March 1845.
50. BRITISH WHIG, 1 April 1845.
51. MONTREAL GAZETTE, 29 March 1845.

SATURDAY, 29 MARCH 1845.

(435)

Montreal  
Building  
Society.

AN engrossed Bill for the Incorporation of certain individuals under the name and style of the Montreal Building Society, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

(436)

Humber Har-  
bour Company.

An engrossed Bill to incorporate certain persons under the name and style of the President, Directors, and Company of the Humber Harbour and Road Company, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to incorporate certain persons under the name and style of 'the President, Directors, and Company of the Humber Harbour and Road.'" "

Ordered, That Mr. Boulton do carry the said Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Tolls on  
Public Works.

"An Act to make provision for the levying of tolls on certain Public Works, and for the proper use of the said Works."

Duties on  
Stills.

"An Act to repeal the Act of the present Session, relative to the duties on Stills, and to make further provision on the same subject."

College of  
Regiopolis.

"An Act to authorize the conveyance of certain Real Estates to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount."

Commutation  
of Tenure.

"An Act the better to facilitate optional commutation of the tenure of Lands en roture in

the Seigniories and Fiefs in Lower Canada, into that of franc aleu roturier."

Municipal  
Districts,  
Lower Canada.

"An Act for ascertaining the liabilities of the several Municipal districts in Lower Canada, and their means of discharging the same."

Welland  
Canal Stock.

"An Act to amend the Act for purchasing the Stock in the Welland Canal, held by private Shareholders."

Toronto Gas  
Light and  
Water Company.

"An Act to amend the Act of Incorporation of the City of Toronto Gas Light and Water Company."

Speaker's  
Salary Legis-  
lative Council.

"An Act for granting a sum of money for the Salary of the Speaker of the Legislative Council."

Also,

Quebec In-  
corporation.

The Legislative Council have passed the Bill, intituled, "An Act to amend the Ordinances, incorporating the city of Quebec," with an amendment, to which they desire the concurrence of the Assembly.

Also,

LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

Militia Laws,  
Upper and  
Lower Canada.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council do not insist on their amendments to the Bill, intituled, "An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time, a certain provision of the Militia Law of Upper Canada, to which the Legislative Assembly disagree.

Attest.

CHARLES DELERY,  
Clerk Asst. Leg. Council.

And also,



LEGISLATIVE COUNCIL,  
Friday, 28th March, 1845.

Capture and  
Detention of  
the Schooner  
"Lord Nelson."

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, to acquaint that House, that His Excellency, the Governor General, has appointed to-morrow at two o'clock, P.M., to be attended with the

Addresses of both Houses, on the subject of the capture and detention, on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812, and that in consequence of the advanced state of the Session, the Legislative Council have ordered that such Members of this House as are Members of the Executive Council only, to attend His Excellency at that time on the part of this House.

Attest.

CHARLES DELERY,  
Clerk. Asst. Leg. Council.

And then he withdrew.

On motion of Mr. Dunlop, seconded by Mr. Johnston,

Ordered, That such Members of this House as are of the Honourable the Executive Council of this Province, do attend His Excellency, the Governor General, on the part of this House, with the Addresses of both Houses on the subject of the capture and detention of the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812.

Public  
Accounts,  
1843.

Mr. Macdonald, of Kingston, from the Committee of the whole House to consider of the Supply granted to Her Majesty, and on the Third Report of the Special Committee to which were referred the Public Accounts of 1843, laid before this House the 13th December, 1844, with an instruction, and other references, reported, according to order, the Resolution of the said Committee; which Resolutions was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That this House doth concur in the Third Report of the Special Committee, to which were referred the Public Accounts for the years 1841, 1842, 1843, and 1844.

Advance to  
defray certain  
expenses of the  
Government.

Ordered, That Mr. Christie, have leave to bring in a bill to authorize certain sums of money therein mentioned, advanced and applied towards defraying certain necessary and indispensable expenses of

the Government, for the years one thousand eight hundred and forty-three, and one thousand eight hundred and forty-four, not otherwise provided for, to be charged upon the Consolidated Revenue Fund of the Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered, That the said Bill be now read a second time.

The said Bill was read accordingly.

Ordered, That the said Bill be engrossed.

An engrossed Bill to authorize certain sums of money therein mentioned, advanced and applied towards defraying certain necessary and indispensable expenses of the Government, for the years one thousand eight hundred and forty-three, and one thousand eight hundred and forty-four, not otherwise provided for, to be charged upon the Consolidated Revenue Fund of the Province, was read for the third time.

(437)

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Report on  
the Petition  
Geo. Wright  
and others.

Mr. Duggan, from the Select Committee to which was referred the Petition of George Wright and others, of the Home and Simcoe districts, and another reference, presented to the House the Report of the said Committee; which was again read at the Clerk's table, and is as followeth:--

Lakes Huron  
and Ontario  
Plank Road.

Your Committee have examined the Petitions to them referred, on the subject of opening up a communication, by means of a Plank Road, from Port Credit, on Lake Ontario, to Lake Huron, and are of opinion, that the subject is one of great public importance, and entitled to the consideration of the Government, that the value of this communication is such as early to attract attention, and your Committee are of opinion that Hurontario Street was laid out as a line of Road, with a view to that object.

Your Committee are further of opinion, that as the work is one involving the interest not only of large numbers of Her Majesty's subjects, in the older and populous townships through which this Road should pass, but also affecting, as it will, Public Lands, and a

large tract of country which its accomplishment will open up, and for which great benefits might accrue, not only to the inhabitants in the locality, but to a large portion of the country.

Your Committee recommend that an humble Address should be presented by your Honourable House, praying that His Excellency may be graciously pleased to cause a competent Engineer to examine the subject, and report the most eligible route, with an estimate of the probable expenses, in order that this important work may engage early attention, and be satisfactorily undertaken.

On motion of Mr. Chauveau, seconded by Mr. Cauchon,

Quebec Incorporation.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Ordinance incorporating the city of Quebec," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 2, Line 5.--Leave out from "and" to "repealed" in the twelfth line, both inclusively.

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Chauveau do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

Then the House adjourned until 3 o'clock, P.M. this day.

3 O'Clock, P.M.

Capture and Detention of the Schooner "Lord Nelson."

The Honourable Mr. Daly, one of Her Majesty's Executive Council, reported that he had, according to order, waited upon His Excellency, the Governor General, on the part of this House, with the joint Addresses of both Houses on the subject of the capture and detention, on the part of the United States Government, of the Schooner "Lord Nelson," in the year 1812; and that His Excellency had been pleased to say, that he would transmit the same to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

Mechanics'  
Institute,  
Montreal.

"An Act to incorporate the Mechanics'  
Institute of Montreal."

Evangelical  
Association.

"An Act to extend the benefit of a certain Act of Upper Canada therein mentioned, to the Clergymen or Ministers of the Evangelical Association."

Several Acts  
continued.

"An Act to continue for a limited time the several Acts therein mentioned."

Turnpike  
Roads, Quebec.

"An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near Quebec."

Montreal  
Building  
Society.

"An Act for the incorporation of certain individuals under the name and style of the 'Montreal Building Society.'"

Humber Har-  
bour Company.

"An Act to incorporate certain persons under the name and style of 'The President, Directors, and Company of the Humber Harbour and Road.'"

To defray cer-  
tain Expenses  
of Government.

"An Act to authorize certain Sums of Money therein mentioned, advanced and applied towards defraying certain necessary and indispensable expenses of the Government for the years one thousand eight hundred and forty-three, and one thousand eight hundred and forty-four, not otherwise provided for, to be charged upon the Consolidated Revenue Fund of the Province."

Aprons to  
Mill Dams.

"An Act to provide more effectually for the construction of Aprons to Mill Dams on Streams, in the district of Huron."

Montreal and  
Chambly Turn-  
pike Road.

"An Act to amend and extend the Ordinance relative to the Turnpike Road from Montreal to Chambly."



Montreal In-  
corporation.

"An Act to amend and consolidate the provisions of the Ordinance to Incorporate the City and Town of Montreal, and of a certain Ordinance amending that Ordinance, and to vest certain other powers in the Corporation, created by the said first mentioned Ordinance."

St. Catharines  
Incorporation.

"An Act to Incorporate the Town of St. Catharines."

McGill  
College.

"An Act to enable the Corporation of the Royal Institution for the Advancement of Learning to dispose of certain portions of Land, for the better support of the University of McGill College at Montreal."

Mutual Fire  
Assurance  
Companies.

"An Act to amend the Act authorizing the establishment of Mutual Fire Insurance Companies, and the Act to continue and amend the same."

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Legislative Assembly:--

Quebec Medical  
School.

"An Act to Incorporate the Quebec Medical School."

(438)

Registration,  
Lower Canada.

"An Act to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles to and Incumbrances upon Real Property in Lower Canada."

Municipal  
Authorities,  
Lower Canada.

"An Act to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local and Municipal Authorities in Lower Canada."

Elementary  
Instruction,  
Lower Canada.

"An Act to make better provision for Elementary Instruction in Lower Canada."

Winter Roads.

"An Act to repeal two certain Ordinances, therein mentioned, relating to Winter Roads, in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the district of Gaspé, and that part of the district of Three Rivers which is, or was, in the Municipal district of Portneuf."

And then he withdrew.

On motion of Mr. Taché, seconded by Mr. Chauveau,

Quebec Medical  
School.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Quebec Medical School," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 3, Line 1.--Leave out from "that," to "Corporation," in the 19th line, both inclusively, and insert "that the said Corporation shall yearly, and every year, cause to be delivered at least one hundred and twenty lectures of at least one hour each, in the English Language, and the like number, and of the same duration, in the French language, on the following branches of Medical science, to wit: Anatomy and Physiology, Chemistry and Pharmacy, Materia Medica, Theory and Practice of Physic, Principles and Practice of Surgery and Midwifery, and Diseases of women and children, to be given by competent lecturers at some place in the city of Quebec, between the first day of October, and the last day of April."

" 3, " 22.--Leave out from "and" to "shall" in the 27th line, both inclusively, and insert "to."

" 4, " 14.--Leave out "and examination."

" 4, " 22.--Leave out "qualification" and insert "attendance."

" 4, " 28 and 29.--Leave out "duly qualified to practice, and having, if they shall deem it necessary," and insert "having attended such lectures, and having."

" 4, " 31.--Leave out "and."

" 4, " 33.--Leave out from "provided" to qualification," in press 5, line 11, both inclusively.

" 5, " 12.--Leave out "no member," and insert "each and every member."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Taché do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. LaFontaine, seconded by Mr. Lacoste,

Registration  
of Titles,  
Lower Canada.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles to, and Incumbrances upon real Property in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendment was read, and is as followeth:--

Press 3, Line 36.--After "instrument" insert the following clause:--

And be it enacted, that this Act shall continue, and be in force, for, and during the space of two years, and to the end of the then next ensuing Session of the Provincial Parliament, and no longer.

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Lacoste do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of the Honourable Mr. DeBleury, seconded by the Honourable Mr. Robinson,

Municipal  
Authorities,  
Lower Canada.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local and Municipal Authorities in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 20, Line 9.--After "thereof," insert the following Clauses A. and B.

CLAUSE A.

And be it enacted, that no Councillor nor Assessor shall be elected or appointed, or enabled to act, unless he shall be a qualified voter, resident in such parish, township, or municipality, and holding real property therein to the value of two hundred and fifty pounds, currency, over and above every charge or incumbrance thereon.

CLAUSE B.

And be it enacted, that this Act shall continue and be in force for and during the period of two years, and from thence to the end of the then next ensuing Session of the Provincial Parliament, and no longer.

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. DeBleury do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

(439)

On motion of Mr. Hale, seconded by Mr. Foster,

Elementary  
Instruction,  
Lower Canada.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to make better provision for Elementary Instruction in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 15, Line 22.--After "same" insert the following Clause:--

"And be it enacted, that this Act shall continue and be in force for, and during the period of two years, and from thence to the end of the then next ensuing Session of the Provincial Parliament, and no longer."

And the said amendment being again read, it was agreed to by the House.



Ordered, That Mr. Hale do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to the amendment.

On motion of Mr. Laurin, seconded by Mr. Chauveau,

Winter Roads. Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to repeal two certain Ordinances therein mentioned, relating to Winter Roads, in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the district of Gaspé, and that part of the district of Three Rivers, which is, or was in the Municipal district of Portneuf," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 31.--Leave out "repealed," and insert "suspended for and during the space of one year."

#### IN THE TITLE.

Line 1.--Leave out "repeal," and insert "suspend for a limited time."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Laurin do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General,

#### Board of Works.

Return to an Address of the House of Assembly, praying that His Excellency will be pleased to order the proper officer to lay before them, an account in detail of all Moneys expended under the authority of the Board of Works in and upon the Cobourgh Harbour; and also, the Orders in Council and other authority, under which the expenditure took place; and also, to inform them if any Survey was made by or under the authority of the Board of Works, to connect that Harbour with the planked or macadamized road, now being made between Port Hope and the Rice Lake, and why such Survey was made, and if the same proved practicable, why such connecting Road was not constructed.<sup>1</sup>

(For the said Return, see Appendix Q. Q. Q.)

The last moments of the session were diversified by the spriteliness of members breaking forth in various ways. One sedate politician threw bills at his political opponent; others sat cheek by jowl like "bairns of one mither," and calculated the savings of the sessional allowance. Another pulled down the tin plate upon which "The orders of the Day" is inscribed, and having changed the inscription to "Orders of the Play" fastened it to the back of an hon. gentleman, who was greeted with shouts of laughter. Others figured with paper pigtails to their coat collars; and numerous other tricks were played to while away the time.<sup>2</sup>

(439)

House to  
attend His  
Excellency the  
Governor General.

A Message from His Excellency, the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:--

MR. SPEAKER,

I am commanded by His Excellency, the Governor General, to acquaint this Honourable House, that it is His Excellency's pleasure that they attend him immediately in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went up to attend His Excellency;<sup>3</sup> where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public and Private Bills:--

To continue  
several Acts.

"An Act to continue for a limited time the several Acts therein mentioned."

Evangelical  
Association.

"An Act to extend the benefit of a certain Act of Upper Canada therein mentioned, to the Clergymen or Ministers of the Evangelical Association."

Arrears of  
Taxes, Dis-  
trict of  
Johnstown.

"An Act to provide for the collection of arrears of Taxes in the district of Johnstown, and for other purposes."

Distribution  
of Printed  
Copies of  
the Laws.

"An Act to provide for the distribution of the printed copies of the laws."

St. Catharines  
Incorporation.

"An Act to incorporate the town of Saint Catharines."

Collection of  
Taxes, Gloucester.

"An Act to authorize the assessment and collection of Taxes in the township of Gloucester, for the year one thousand eight hundred and forty-four."

Measurement  
and Culling  
of Timber.

"An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned."

Niagara and  
Ten Mile Creek  
Plank Road.

"An Act to incorporate certain persons as the Niagara and Ten Mile Creek Plank Road Company, for the purpose of constructing a Plank Road from a certain place in Niagara, to the Ten Mile Creek, in Grantham."

Niagara  
Incorporation.

"An Act to incorporate the town of Niagara, and to establish a Police therein."

College of  
Regiopolis.

"An Act to authorize the conveyance of certain Real Estates to the College of Regiopolis, and to enable the said College to acquire and hold Real Property to a certain amount."

Testatum  
Writs.

"An Act to allow the issuing of Testatum Writs of Capias ad respondendum in the several districts in Upper Canada, and for other purposes therein mentioned."

Municipal  
Districts,  
Lower Canada.

"An Act for ascertaining the liabilities of the several Municipal districts in Lower Canada, and their means of discharging the same."

Reporter, Court  
of Chancery.

"An Act to authorize the appointment of a Reporter in the Court of Chancery."

Registration,  
Lower Canada.

"An Act to amend the Act and Ordinance therein mentioned, relative to the Registration of Titles to, and Incumbrances upon, Real Property in Lower Canada."

Limitation of  
Actions, Lower  
Canada.

"An Act for the Limitation of Actions, for avoiding Suits at Law, and for rendering a written Memorandum necessary to the validity of promises and engagements in that part of the Province which heretofore constituted the Province of Lower Canada."

(440)

Commutation  
of Tenure.

"An Act better to facilitate optional commutation of the Tenure of Lands, en roture, in the Seigniories and Fiefs in Lower Canada, into that of franc aleu roturier."

Profanation,  
Lord's Day.

"An Act to prevent the Profanation of the Lord's Day, commonly called 'Sunday,' in Upper Canada.

Appropriation of  
certain Sums of  
Money.

ments in this Province, and for other purposes therein mentioned."

Roman Catholic  
Bishops'  
Incorporation.

"An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese."

Great Western  
Railroad.

"An Act to revive certain provisions of the Acts incorporating the Great Western Railroad Com-pany, and to enable them to carry on that work."

Winter  
Roads.

"An Act to suspend for a limited time two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the district of Quebec, the district of Gaspé, and that part of the district of Three Rivers, which is, or was in the Municipal district of Portneuf."

Riding over  
Bridges.

"An Act to prevent persons Riding or Driving at a fast rate over Bridges of more than a certain length in Upper Canada.

Boards of Trade,  
Montreal and  
Quebec.

"An Act to render permanent two certain Acts therein mentioned, incorporating the Boards of Trade of Montreal and Quebec."

Administration of  
Justice, Gaspé.

"An Act supplementary to an Act of the last Session of the Legislature, relating to the Administration of Justice in the Gaspé district."

Fees to Dis-  
trict Officers.

"An Act to regulate the Fees of certain District Officers in that part of this Province called Upper Canada."

Kingston  
Incorporation.

"An Act to repeal a certain provision of the Act incorporating the town of Kingston, and to provide for the assessment and collection of the District Taxes in the said town, by an assessor and collector to be appointed by the District Council."

Aprons to  
Mill Dams.

"An Act to provide more effectually for the construction of Aprons to Mill Dams, or Streams in the district of Huron."



McGill  
College.

"An Act to enable the Corporation of the Royal Institution for the Advancement of Learning, to dispose of certain portions of Land for the better support of the University of McGill College."

Tax on  
Dogs.

"An Act to empower the district Councils of Municipal districts, and Boards of Police of incorporated towns in Upper Canada, to impose a tax on Dogs within their respective districts and towns.

Taxes on cer-  
tain Lands,  
Upper Canada.

"An Act to declare certain Lands in Upper Canada liable to Assessment, and oblige the owners of such Lands to make returns thereof to the District Treasurer."

Mutual Fire  
Assurance  
Companies.

"An Act to amend the Act authorizing the establishment of Mutual Fire Insurance Companies, and the Act to continue and amend the same."

Quebec  
Incorporation.

"An Act to amend the Ordinances incorporating the city of Quebec."

Small Debts,  
Upper Canada.

"An Act to amend an Act passed in the fourth and fifth years of the Reign of Her Majesty, intituled, 'An Act to repeal the Laws now in force in that part of this Province, formerly Upper Canada, for the recovery of Small Debts, and to make other provisions therefor.'"

Montreal  
Incorporation.

"An Act to amend and consolidate the provisions of the Ordinance to incorporate the city and town of Montreal, and of a certain Ordinance amending that Ordinance, and to vest certain other powers in the Corporation, created by the said first mentioned Ordinance."

Island of  
Orleans.

"An Act to detach the Island of Orleans from the county of Montmorency, for the purposes of Registration of Titles, and to establish a Registry Office in the said Island."

Commutation of  
Tenure in cer-  
tain Fiefs.

"An Act to empower the Seigniors of the Fiefs Nazareth, Saint Augustin, and Saint Joseph, in the city of Montreal, or either of them, to invest the moneys arising from any Commutation of Tenure granted by them, in Real Property and other Securities."

Humber Harbour  
and Road Company.

"An Act to incorporate certain persons under the name and style of the President, Directors, and Company of the Humber Harbour and Road."

Toronto Gas  
Light and Water  
Company.

"An Act to amend the Act of incorporation of the city of Toronto Gas Light and Water Company.

Notaries.

"An Act to repeal part of a certain Ordinance therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners' Courts in Lower Canada."

Municipal  
Authorities,  
Lower Canada.

"An Act to repeal certain Ordinances therein mentioned, and to make better provision for the establishment of Local and Municipal Authorities in Lower Canada."

North Amer-  
ican Colonial  
Association.

"An Act to give further powers to the North American Colonial Association of Ireland."

Montreal School  
of Medicine.

"An Act to incorporate the Montreal School of Medicine and Surgery."

Montreal Building  
Society.

"An Act for the Incorporation of certain individuals under the name and style of the Montreal Building Society."

Sherbrooke  
Cotton Factory.

"An Act to incorporate the Sherbrooke Cotton Factory."

Mechanics' Insti-  
tute, Montreal.

"An Act to incorporate the Mechanics' Insti-  
tute of Montreal."

Chambly Cotton  
Manufactory.

"An Act to incorporate the Chambly Cotton Manu-  
facturing Company."

Quebec Turnpike  
Roads.

"An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads, near Quebec."

Private Stock,  
Welland Canal.

"An Act to amend the Act for purchasing the Stock in the Welland Canal held by private Share-  
holders."

Quebec School  
of Medicine.

"An Act to incorporate the Quebec School of  
Medicine."

Chambly  
Turnpike Road.

"An Act to amend and extend the Ordinance rela-  
tive to the Turnpike Road from Montreal to Chambly."

Quebec Fire-  
wood Society.

"An Act to incorporate the Quebec Charitable  
Firewood Society."

Salmon  
Preservation.

"An Act to repeal and reduce into one Act the several Laws now in force for the preservation of Salmon, in that part of this Province formerly Upper Canada, and for other purposes therein mentioned."

Insolvent  
Debtors.

"An Act for the relief of Insolvent Debtors in Upper Canada, and for other purposes therein mentioned."

Lessees of  
Ferries, Upper  
Canada.

"An Act for better enforcing the provisions of the Act of the Legislature of Upper Canada, for the regulation of Ferries, and for protecting the rights of the Lessees of Ferries."

(441)

Militia  
Laws.

"An Act to revive and continue for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision of the Militia Law of Upper Canada."

Wild Fowl  
Protection.

"An Act to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent the trapping of Grouse and Quail in this Province."

River  
Richelieu,  
Bridge.

"An Act to authorize John Yule, the younger, to build a Toll Bridge over the River Richelieu, in the parish of Saint Joseph de Chambly; to fix the rates of Toll for passing thereon; and to provide Regulations for the same."

Toronto and  
Lake Huron  
Railroad.

"An Act to amend an Act passed in the sixth year of the reign of His late Majesty King William the Fourth intituled, 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company.'"

The Titles of the following Bills were then read:

Harris'  
Divorce.

"An Act to dissolve the Marriage of Henry William Harris, Esquire, with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned."

To quiet  
the Titles of  
Lands Lower  
Canada.

"An Act to quiet the Title to Lands of persons naturalized under the statute of Lower Canada, passed in the first year of the Reign of His late Majesty King William the Fourth, and for other purposes therein mentioned."

Ordinance  
Estates.

"An Act to explain and amend part of an Act passed in the seventh year of Her Majesty's reign, intituled, 'An Act for vesting in the principal officers of Her Majesty's Ordinance, the Estates and Property therein described, for granting certain powers to the said officers, and for other purposes therein mentioned.'"

Lots in  
Beverley.

"An Act to establish the boundaries of the Lots and Gores of Lands in the sixth, seventh, eighth, ninth and tenth concessions of the township of Beverley, in the county of Halton."

Claims upon  
the Executive  
Government.

"An Act to provide a legal recourse to Her Majesty's subjects in this Province, having legal or just claims upon the Executive Government thereof, and to enable Her Majesty the more effectually to do justice in such cases."

Attachment  
of Salaries.

"An Act to authorize to a certain extent, the Seizure and Attachment of Official Salaries towards payment of the Incumbent's Debts."

Aliens.

"An Act to make further provision regarding Aliens."

To each of which it was His Excellency the Governor General's pleasure to say, that he reserved the said Bills for the signification of Her Majesty's pleasure thereon.

Then the Honourable Speaker of the Legislative Assembly addressed His Excellency as follows:--

MAY IT PLEASE YOUR EXCELLENCY,

Supplies.

We, Her Majesty's most dutiful and faithful subjects, the Commons of Canada, in Parliament assembled, approach Your Excellency, at the close of a long and arduous Session, with sentiments of unfeigned devotion and loyalty to Her Majesty's Person and Government; and humbly beg leave to present a Bill to appropriate the Supplies granted for the present year,--thus placing at the disposal of the Crown, the means by which the Government may be made efficient for the service and welfare of the country.

The Supplies for which this Bill provides, we respectfully observe to Your Excellency, are granted under the system of Responsible Government, which has been so fully, and so graciously conceded by Her Majesty, to Her faithful Canadian subjects.

Many subjects of deep and abiding interest to the country, have pressed on our consideration during the progress of our Parliamentary labours, and among the Bills we have passed, there are few more impor-



tant than that which provides for the payment of the losses sustained by Her Majesty's loyal subjects in Western Canada, who, from their exposed position on the frontier, during a period of great internal commotion and disorder, in the years 1837 and 1838, suffered great pecuniary distress, and were compelled to make great sacrifices of life and property, in defending that section of the Province from the invasion of a lawless and piratical enemy.

Under the pressure of considerable difficulties, and the necessity of great economy, we have great satisfaction in being assured that our finances are in a flourishing and improving condition.

The increasing importance of our Commercial operations, is also a source of much gratification; and after due deliberation, we indulge the hope, that adequate arrangements may be made for their future regulation, and thereby conduce to the combined advantages of the Commerce and Revenue of the Country.

In pursuance of the duty which devolves upon me, I have the honour of tendering to Your Excellency, a Bill to apply a sum out of the Revenues of this Province, for the Service of the year 1845, and to appropriate the Supplies granted in the present Parliament, to which, (in all humility) we pray Her Majesty's Royal Assent.

The Honourable the Speaker of the Legislative Assembly then presented the following Money Bills, praying that His Excellency would be pleased, in Her Majesty's Name, to give the Royal Assent thereto:

Expenses, Civil  
Government.

"An Act to make provision for defraying certain Expenses of the Civil Government of this Province, for the year one thousand eight hundred and forty-five."

Rebellion  
Claims.

"An Act to provide for the payment of Claims arising out of the Rebellion and Invasion of Upper Canada, and to appropriate the duties on Tavern

Licenses to local purposes."

Tolls, Public  
Works.

"An Act to make provision for the levying of Tolls on certain Public Works, and for the proper use of the said Works."

To each of these three Bills the Royal Assent was signified in the following words:--

"In Her Majesty's Name, His Excellency, the Governor General, thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill."

Harbour of  
Montreal.

"An Act to provide for the improvement and enlargement of the Harbour of Montreal; to authorize

the Commissioners to borrow a further sum of money for that purpose; to consolidate the Laws now in force relating to the same; and for other purposes therein mentioned."

Elementary Instruction, Lower Canada. "An Act to make better provision for Elementary Instruction in Lower Canada."

Speakers' Salary, Legislative Council. "An Act for granting a sum of money for the Salary of the Speaker of the Legislative Council."

To defray certain expenses of 1843. "An Act to authorize certain sums of money therein mentioned, advanced and applied towards defraying

(442)

certain necessary and indispensable expenses of the Government, for the years one thousand eight hundred and forty-three, and one thousand eight hundred and forty-four, not otherwise provided for, to be charged upon the Consolidated Revenue Fund of the Province."

Duties on Stills. "An Act to repeal an Act of the present Session, relative to the duties on Stills, and to make further provision on the same subject."

Agriculture, Lower Canada. "An Act to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural

Societies therein."

To authorize the defraying of certain Expenses. "An Act to authorize the charge of a certain sum of money therein mentioned, advanced from the Treasury of the Province by the Executive Government thereof, without the authority of the Provincial Parliament, for defraying, during a period therein specified, certain necessary and indispensable expenses of the Civil Government of the Province, and Public Works therein, upon the Consolidated Revenue Fund thereof, and of indemnity therefor to all concerned."

Agriculture, Upper Canada. "An Act for the encouragement of Agricultural Societies and Agriculture in Upper Canada."

And to each of the eight last preceding Bills the Royal Assent was signified in the following words:--

"In Her Majesty's Name His Excellency, the Governor General, doth assent to this Bill."

After which His Excellency was pleased to make the following Speech to both Houses:--

Honourable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly,

Speech,  
Proroguing.

I thank you for your indefatigable attention to the laborious duties which you have had to perform during this unusually long Session. I trust that the Acts which have been passed, will prove beneficial to the Province; and I consider myself justified in especially congratulating you on those for improving the Administration of Justice in Upper Canada, and those relating to Education and Municipal Institutions in Lower Canada; all of which are of the highest value, and promise to render essential service to the community. I regret at the same time to notice, that several important measures have been unavoidably postponed. On this account, I am reluctant to part with you, for I am loth to lose your assistance while any thing remains to be done which the good of the country requires. Nevertheless, I am sensible that your presence is much required at your homes, and that it would be unreasonable to expect your longer attendance at the present period. Whatever has been left incomplete, will, I hope, be accomplished at our next meeting.

I have had the satisfaction of assenting, in Her Majesty's Name, to nearly all of the Enactments which you have passed, and the few reserved for the decision of Her Majesty's Government, have been so dealt with under circumstances, which, from positive instructions or otherwise, have rendered it imperative on me to pursue that course. The Act to amend the Ordinance Act of the last Session of the late Parliament comes necessarily under that description, as it affects the property of the Crown.

I have received authentic information, of the passing of an Act by the Legislature of the United States, which may seriously affect the commercial interests of this Province. I will not fail to submit the subject for the attention of Her Majesty's Government, and I am sure that it will receive the most earnest consideration.

Gentlemen of the Legislative Assembly,

I return you my hearty thanks for the liberality with which you have provided the requisite means for the due administration of our Affairs. I shall anxiously co-operate with you in every measure of economy consistent with the efficiency of the Public Service. It is satisfactory to observe, that the prosperous condition of our Revenue enables us, after providing for a reduction of the Public Debt by commencing the establishment of a Sinking Fund for the redemption of the Guaranteed Loan, to apply a considerable sum to additional Public Works, calculated to produce great advantage.

Honourable Gentlemen of the Legislative Council, and Gentlemen of the  
Legislative Assembly.

You are about to return to your homes to resume those occupations, which, in most cases, are indispensable for the support of your families,

and which are unavoidably interrupted with some degree of injury to yourselves, by your attendance on Parliamentary Duties. I earnestly hope that you may be successful in your undertakings, and I beg you to convey to your several constituencies, the assurance that Her Majesty's Government ardently desires the welfare of this Province, and is anxious that the whole of its inhabitants, without distinction and with perfect equality, may enjoy all the rights and privileges of a Free People, and experience the prosperity, contentment and happiness, which are naturally derived from unfettered industry, prudent enterprise, good fellowship, and brotherly love. And now Gentlemen, with the heartfelt wish that you may be partakers in these blessings, I will say farewell until we meet again. I cannot, however, conclude, without expressing my warmest thanks for the aid and support which you have afforded to Her Majesty's Government by your loyal, zealous and patriotic labours.

Then the Honourable the Speaker of the Legislative Council, said--

Honourable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly:

It is His Excellency, the Governor General's will and pleasure, that this Provincial Parliament be prorogued until Thursday, the eighth of May next, to be then here holden; and this Provincial Parliament is accordingly prorogued until Thursday, the eighth day of May next.

Giving a cheer, the House broke up.<sup>4</sup>



APPENDIX, 29 MARCH 1845.

((PROPOSALS FOR CHANGES IN THE HOUSE RE: DECORATIONS; HEATING; INFORMATIONAL LITERATURE.))<sup>5</sup>

MR. AYLWIN stated to the House that there was in Quebec an excellent copy of a picture of Her Majesty, painted by a Canadian artist, Legare, and he suggested that it should be procured and placed in the House of Assembly. He hoped that the Speaker would be empowered to purchase it if he found that it was in reality equal to the character it bore.<sup>6</sup>

MR. DRUMMOND hoped that the portrait of Sir George Prevost would not be taken down, if for no other reason because of some disrespectful remarks which had been made in that House concerning that noble individual.<sup>7</sup>

MR. BERTHELOT hoped that the portrait of the present Speaker would be also placed in the House.<sup>8</sup>

MR. BOULTON suggested if a portrait of Her Majesty were procured, it should be from England, and Her Majesty should be requested to sit for it.<sup>9</sup>

No! No! a Canadian artist.<sup>10</sup>

DR. DUNLOP hoped that the Speaker would also procure the portraits of all the members of that hon. House, for the gratification of the public when the originals were absent. - (Laughter.)<sup>11</sup>

The Speaker ((SIR ALAN MACNAB)) suggested that the House should allow him to procure a new mace.<sup>12</sup>

MR. BALDWIN had no objection if the Canadian emblem, the beaver and maple branch formed a conspicuous portion of it.<sup>13</sup>

MR. AYLWIN hoped that before the next session some better mode of heating the House would be adopted; the present system had been prejudicial to the health of the members. He suggested the employment of Russian stoves.<sup>14</sup>

MR. BOULTON agreed with the hon. gentleman; but was sorry to hear him acknowledge that the House had been made too hot to hold him. - (Laughter.)<sup>15</sup>

MR. MORIN suggested that the House should subscribe for 20 copies of Mr. Bouchette's map of Canada.<sup>16</sup>

FOOTNOTES - 29 MARCH 1845.

1. The following was reported by: MONTREAL TRANSCRIPT, 1 April 1845, BRITISH WHIG, 4 April 1845, and MONTREAL GAZETTE, 1 April 1845, in identical accounts. MONTREAL TRANSCRIPT and BRITISH WHIG acknowledged MONTREAL COURIER as their source.

2. MONTREAL TRANSCRIPT, 1 April 1845.

3. IBID., which commented: "At five o'clock a messenger commanded the attendance of the Legislative Assembly at the Bar of the Council Chamber. Upon their leaving the House to enter the Council a scene of indescribable confusion ensued. All the loafers in the city had been allowed to collect upon the staircase, and in the passage between the two Houses; and upon the doors being opened made a rush to enter the Council, the mass became mixed up with the members and a regular scuffle ensued at the door in attempting to separate and keep back the strangers. This was not effected without considerable difficulty and delay. The arrangements reflect little credit on those whose province it is to make them. We trust that upon another occasion efficient means will be adopted to prevent the recurrence of a scene so inconsistent with the dignity of a deliberative body, and reflecting no credit upon those whose brazen impudence led them to become actors in it."

4. MONTREAL TRANSCRIPT, 1 April 1845.

5. The following was reported in identical accounts in: MONTREAL GAZETTE, 1 April 1845, and BRITISH WHIG, 4 April 1845, copied from MONTREAL COURIER.

6. MONTREAL GAZETTE, 1 April 1845.

7. IBID.

8. IBID.

9. IBID.

10. IBID.

11. IBID.

12. IBID.

13. IBID.

14. IBID.

15. IBID.

16. IBID.

## INDEX

### INTRODUCTION

The following Index, which refers to Parts I and II of this Volume, is divided into two sections: proper names and subjects. The proper name Index is limited to the names of the men who sat in the Canadian Assembly in 1844-45. This Index therefore excludes the names of all other persons, such as people mentioned in debates, witnesses testifying before the House in Committee of the Whole, or messengers such as Félix Fortier, Clerk of the Crown in Chancery, who at one time or another addressed the House from within the Bar. It also excludes the names of people merely mentioned in the House, such as those whose testimony before Select Committees was reported or referred to in the JOURNALS, and signatories to Petitions presented whose names are noted in connection with various kinds of legislation.

The decision to limit this section of the Index to members of the Assembly was made necessary by the fact that in 1844-45 the other names number in the thousands, so that their sheer bulk makes it impossible to include them. In addition, every piece of legislation or testimony with which these names are associated is always indexed under subject references. To summarize, the proper name Index refers to every occasion when a member proposed or seconded a motion or resolution, or brought up a petition; it refers to every speech he delivered during debates, and to every other time he addressed the House or took the chair of the House in Committee of the Whole. Only individual votes are excluded because divisions rightfully belong with the legislation they pertain to, and all legislation is included in the subject Index.

The subject Index is based on the Index to the JOURNALS. However, it has been modified, corrected and expanded to render it more useful and complete. In particular, the subjects of all the legislative events reported in the daily Appendices are included in the Index. This Index provides more than a subject analysis of parliamentary events. It also indicates the passage of each particular item through the various stages of the legislative process. It is thus a parliamentary subject Index.

The entries in this Index contain double sets of numbers whenever this is appropriate. One set is contained within parentheses, the other is not. All numbers within parentheses refer to pages in the JOURNALS. All other numbers refer to pages in this Volume. When something is mentioned in the JOURNALS it will be indexed with a double reference. Subjects mentioned only in reconstructed material will be indicated by a single page number. An additional distinction must be made within the category of numbers in parentheses. This category includes italicized numbers which always refer to official communications made in the House, usually Addresses or Messages to or from the Governor-General or the Legislative Council. All words expressed in italics refer to primary subject headings.

## SECTION I: PROPER NAMES

### A

Armstrong, David Morrison, 299, 581-582, 596, 711, 745, 982, 1175, 1349, 1375, 1376, 1411, 1472, 1475, 1490-1492, 1543, 1595, 1640, 1838, 1950, 1952, 1959f, 2182, 2185, 2207, 2287, 2311, 2315, 2373, 2434, 2441, 2452, 2471, 2495, 2520, 2530.

Aylwin, Thomas Cushing, 5, 9, 11f, 17, 18, 19, 21, 22, 23, 26, 39, 44, 45, 46, 47, 51, 52, 56, 60, 92, 95, 99, 110, 115, 128, 129, 130, 141, 147, 164, 164-165, 165-168, 168-169, 169-170, 170-172, 173, 174, 176, 177, 212, 213, 219, 235, 236, 237, 239, 240, 254, 264, 274, 275, 276, 277, 278, 296f, 297f, 300, 322, 328, 329, 355, 364, 374-375, 378, 379, 382, 390, 391-392, 394, 398, 403, 408, 411, 419, 465, 485, 490, 492, 494, 496, 498, 501, 501-502, 502-506, 528, 538, 539, 551, 556, 558, 565, 566, 568, 568-569, 569-570, 570, 570-571, 571, 572, 573, 574, 577, 578, 580, 581, 582, 583-584, 588, 591f, 596, 598, 600, 622, 623, 623-624, 624, 630, 700, 720-721, 721, 722-723, 726, 743, 758, 758-759, 759-760, 760, 760-761, 770, 773, 779, 802, 810, 817, 826, 827, 828, 900-901, 901, 905, 907, 910, 910-911, 911, 912, 913, 920, 921-923, 923, 923-924, 924, 924-925, 925, 926, 926-928, 948, 956, 958, 972, 974, 975, 975-976, 976, 983, 984, 997-998, 1001, 1006, 1006-1007, 1011, 1021, 1030-1031, 1032, 1038, 1043, 1045, 1046f, 1049, 1050, 1053, 1054, 1056-1057, 1057, 1058, 1059, 1060, 1064, 1066, 1067, 1071, 1072, 1075, 1092f, 1096, 1105, 1107, 1115, 1119, 1129, 1170, 1171, 1179, 1202, 1206f, 1214, 1220, 1221, 1222, 1238, 1238-1239, 1247, 1293, 1298, 1299, 1309, 1310-1311, 1311, 1311-1312, 1312, 1313, 1314, 1315, 1316, 1320f, 1341, 1341-1342, 1342, 1344, 1388f, 1400, 1408, 1431-1433, 1433, 1433-1434, 1435, 1443, 1444, 1448, 1448-1449, 1449, 1450, 1450-1451, 1451, 1452, 1455-1456, 1456, 1457, 1457-1459, 1462, 1463, 1464, 1467, 1469f, 1470f, 1490, 1506, 1507, 1507-1508, 1508, 1509, 1513, 1548, 1553, 1554, 1555, 1559, 1578, 1597, 1598, 1600-1601, 1601-1602, 1603, 1604, 1605, 1605-1606, 1606, 1607, 1610, 1627, 1629, 1630, 1637-1639, 1639, 1639-1640, 1640, 1660, 1687, 1694-1695, 1695, 1708, 1708-1709, 1713f, 1719, 1720, 1720-1721, 1721, 1721-1722, 1722, 1723, 1723-1724, 1724, 1724-1725, 1725, 1725-1730, 1730, 1730-1731, 1733, 1734, 1738, 1739, 1742, 1743, 1749, 1749-1750, 1756f, 1767, 1768, 1770, 1771, 1772, 1773-1776, 1776-1777, 1777, 1778, 1779, 1780, 1791, 1793f, 1814, 1834-1836, 1843f, 1844f, 1850, 1860, 1861-1862, 1864, 1917, 1921, 1935-1938, 1938-1939, 1939, 1940, 1944, 1953-1954, 1957, 1992, 1999, 2000, 2010, 2027, 2027-2028, 2102-2103, 2106, 2119, 2122, 2124, 2127, 2128, 2129, 2143, 2158, 2159, 2160, 2161, 2165, 2179-2180, 2180, 2181, 2182, 2185, 2186, 2194, 2207, 2214, 2215, 2262, 2262-2263, 2263-2265, 2278, 2282, 2282-2284, 2306, 2315, 2321, 2322, 2323-2325, 2325, 2326, 2327, 2339-2340, 2350, 2364, 2367, 2370, 2370-2371, 2386-2387, 2387, 2419, 2420, 2422, 2423, 2423-2424, 2424, 2425, 2434, 2435, 2438f, 2439, 2473, 2518, 2552, 2554f, 2577.



## B

- Baldwin, Robert, 19, 21-22, 40, 41, 42, 52-53, 60, 73-74, 74-75, 75-77, 77-79, 79, 79-82, 82, 82-83, 83, 84, 84-85, 85, 115, 152, 162, 203-204, 204-205, 205, 206, 207, 212, 212-213, 238, 245, 255, 256, 257, 273, 276, 281, 294, 301, 322, 328, 329, 345, 351, 376, 378, 397, 402, 408, 409, 462, 492, 510-512, 550, 555, 556, 557, 567, 575-576, 577, 598, 599, 627, 627-629, 629, 701, 702-703, 703, 731, 732, 755-758, 765, 770, 778, 793, 795, 803, 810, 812, 826, 830, 954-955, 960, 982, 996, 1002-1003, 1009, 1022, 1024, 1030, 1031, 1033, 1035, 1040, 1043-1044, 1057, 1067-1068, 1072, 1115, 1116, 1117, 1118, 1129, 1147, 1150, 1152-1153, 1155, 1168, 1175, 1193, 1194, 1208, 1220, 1233-1234, 1249, 1259, 1261, 1262, 1263, 1272, 1292, 1297, 1305, 1305-1306, 1306, 1312, 1313, 1332, 1333, 1334, 1335, 1336, 1336-1337, 1342-1343, 1343-1344, 1344, 1356f, 1381, 1392, 1395, 1403, 1410, 1438, 1441, 1444-1445, 1469f, 1478-1479, 1479, 1484-1485, 1485, 1501, 1517, 1522, 1534, 1535, 1537, 1538, 1539, 1541, 1551-1552, 1552, 1552-1553, 1553, 1559, 1582-1583, 1594, 1608, 1610, 1626, 1628, 1634, 1668, 1752-1753, 1765, 1789, 1802, 1845, 1878-1879, 1880, 1880-1881, 1883, 1905, 1915, 1915-1916, 1938, 1940, 1941, 1945, 1951, 1953, 1962, 1990, 2002-2003, 2004, 2005, 2012f, 2029, 2101-2102, 2135, 2160, 2267-2268, 2317-2318, 2318-2319, 2321, 2322, 2330, 2330-2331, 2331, 2331-2334, 2334-2339, 2340, 2341-2342, 2342-2346, 2346-2347, 2347-2349, 2351, 2371-2372, 2386, 2387, 2423, 2470, 2476, 2494, 2514f, 2524, 2526-2527, 2527-2528, 2540, 2577.
- Berthelot, Amable, 363, 420, 528, 1010, 1466, 1531, 1536, 1577, 1595, 1675, 1680, 1690, 1709-1710, 1718, 1745, 1763-1764, 1806, 1823-1824, 1951, 1954, 2186, 2329, 2454, 2497, 2577.
- Bertrand, Louis, 60, 254, 495, 702-703, 1106, 1548, 1558, 2112, 2154, 2310.
- Boulton, William Henry, 20, 50, 110, 152, 264, 321, 341, 342, 343, 352, 355, 358, 372, 376, 377, 408, 411, 417, 460, 519, 525, 528, 551, 555, 556, 557, 561, 564, 568, 569, 572, 575, 577, 599, 734, 776, 804, 812, 812-813, 813, 814, 816, 819-820, 820, 823, 825, 826, 1072-1073, 1073, 1095, 1121, 1122, 1124, 1139, 1142-1143, 1153, 1155, 1166, 1189, 1208, 1212, 1215, 1218, 1220, 1221, 1262, 1337, 1378, 1385, 1422, 1438, 1454, 1482, 1589, 1594, 1655, 2014, 2037, 2038, 2044-2045, 2049, 2056, 2094, 2095-2096, 2163, 2192, 2199, 2249-2251, 2251, 2363, 2369, 2372, 2386, 2423, 2430, 2454, 2464, 2466, 2511, 2513, 2516, 2536, 2540, 2577.
- Bouthillier, Thomas, 50, 218, 264, 358, 380, 387, 713, 972, 2153, 2352.
- Brooks, Samuel, 27, 110, 218, 255, 300, 551, 600, 770, 982, 1010, 1096, 1102-1103, 1105, 1129, 1141, 1293, 1393, 1496, 1630, 1802, 1815, 1839, 1850, 1863, 1906, 1953, 2006, 2007.

## C

- Cameron, Malcolm, 26, 43, 60, 66, 85, 86, 86-87, 110, 115, 120, 122, 124, 125, 126, 240, 247, 275, 291, 292, 299, 316, 348, 352, 358, 359, 374, 379, 387, 391, 394, 396, 408, 419, 484, 546-547, 547, 550, 620, 624, 625, 626, 629-630, 630, 711, 726, 728, 729, 751-752, 752, 754, 755, 764, 764-765, 765, 805, 823, 1009, 1010, 1011, 1013, 2029, 2057, 2112,

- 2117, 2122, 2127, 2128, 2137, 2153, 2174, 2176, 2178, 2207, 2209, 2213, 2219-2249, 2277, 2289, 2320, 2354, 2360, 2369, 2370, 2384, 2420, 2422, 2453, 2462, 2487, 2490-2491, 2495, 2507, 2526.
- Cauchon, Joseph Edouard, 8, 12f, 26, 56, 242, 263, 275, 295f, 319, 751, 780, 804, 823, 830, 934, 935, 951, 1040, 1041, 1079, 1139, 1142, 1199, 1199-1200, 1203, 1205f, 1299, 1313, 1318f, 1320f, 1467, 1511, 1530, 1535, 1536, 1538, 1539, 1558, 1587, 1591, 1596, 1598, 1663, 1680, 1695, 1706, 1766, 1771, 1783, 1823, 1828, 1838, 1841, 1858, 1956, 1995, 2023, 2177, 2182, 2185, 2207, 2270-2271, 2290, 2329, 2429, 2457, 2459, 2489, 2559.
- Chabot, Jean, 27, 45, 51, 154, 218, 235, 237, 239, 240, 263, 300, 355, 363, 390, 408, 419, 483, 491, 494, 531, 539, 551, 710, 734, 743, 745, 1039, 1042, 1053, 1059, 1060, 1071, 1595, 1634, 1716, 1839, 1841, 1846, 1855, 1862, 1895f, 1940, 1941, 1995, 1996, 2106, 2144, 2184-2185, 2186, 2194, 2214, 2215, 2287, 2315, 2352, 2354, 2361.
- Chalmers, George, 483, 598, 770, 774, 902, 982, 1049, 1096, 1129, 1323, 1358, 1472, 1475, 1657, 1660, 1669, 1678-1679, 1687, 1845, 1961, 2161, 2370, 2439, 2524.
- Chauveau, Pierre Joseph Olivier, 7, 54, 110, 147, 154, 192-193, 193-195, 195-196, 196-197, 197, 217, 316, 408, 484, 542, 543, 550, 702-703, 780, 803, 823, 960, 972, 1010, 1125, 1200, 1200-1202, 1205f, 1270, 1283, 1313, 1490, 1538, 1543, 1558, 1598, 1611, 1634, 1846, 1919, 1925, 1955, 1956, 2015, 2020, 2025, 2033, 2057, 2142, 2154, 2182, 2184, 2294, 2307, 2360, 2490, 2510, 2536, 2537, 2552, 2559, 2562, 2565.
- Christie, Robert, 2, 4, 5, 19, 23, 40, 41, 44, 45, 51, 52, 56, 67, 114, 115, 117, 206, 212, 237, 240, 242, 254, 259, 263, 289, 290, 291, 300, 301, 311, 312, 315, 351, 353, 354, 358, 373, 375, 377, 379, 380, 389, 390, 408, 417, 419, 419-420, 420, 547, 572, 579, 580, 580-581, 581, 582, 583, 591f, 606, 606-607, 607, 620, 710, 725, 741, 748, 749, 777, 778, 780, 793, 794, 809-810, 811, 954, 958, 961, 977, 996, 1001, 1003, 1019, 1024, 1029, 1030, 1039, 1040, 1044, 1103-1104, 1124, 1137, 1145, 1146, 1152, 1163, 1168-1169, 1171, 1191, 1192, 1194, 1195, 1204f, 1244, 1270, 1271, 1275, 1279, 1283, 1331, 1338, 1375, 1376, 1386, 1407, 1410, 1422, 1438, 1452-1453, 1502, 1505, 1514, 1522, 1527, 1590, 1600, 1640, 1645, 1691, 1694, 1717, 1718, 1785, 1786-1787, 1860, 1899-1900, 1900, 1944, 1946, 1947, 1953, 1954, 1959f, 1997, 2033, 2114, 2144, 2151, 2166, 2192, 2197, 2200, 2254, 2279, 2282, 2306, 2320, 2322, 2350, 2351, 2361, 2384, 2385, 2418, 2419, 2420, 2422, 2501, 2507, 2509, 2510, 2522, 2538, 2548, 2558.
- Colville, Eden, 56, 68, 71-73, 104f, 110, 195, 197, 198, 217, 263, 272, 274, 274-275, 300, 328, 387, 400, 417, 531, 543, 584, 607, 630, 778, 778-779, 825, 825-826, 948, 962, 982, 1045, 1054, 1072, 1073, 1167, 1168, 1260, 1323, 1342, 1370, 1370-1371, 1371, 1372, 1435, 1453, 1461-1462, 1462, 1489, 1504, 1513-1514, 1538, 1542, 1543, 1547, 1585-1586, 1586, 1594, 1596, 1639, 1640, 1655, 1681, 1682, 1731-1732, 1761, 1790, 1827-1828, 1851, 1881-1882, 1898, 2002, 2005, 2027, 2056, 2140, 2151, 2160, 2163, 2175, 2180, 2185, 2187, 2202, 2203, 2207, 2219, 2281, 2384, 2445, 2455, 2488, 2520, 2526.

Cummings, James, 152, 254, 262, 491, 531, 549, 564, 588, 600, 709, 734, 804, 982, 988, 989, 990, 1244, 1277-1278, 1294, 1299, 1596, 1657, 1764, 1802, 1809, 1898, 1932, 1933, 1945, 2136, 2304, 2316, 2323, 2463, 2481.

## D

Daly, Dominick, 83, 84, 162, 162-163, 297f, 346, 357, 420, 449, 451, 484, 515, 560, 586, 609, 610, 710, 724, 732, 781, 792, 831, 954, 962, 990, 1013, 1075, 1107-1108, 1143, 1179, 1181, 1186, 1223, 1283, 1308, 1323, 1340, 1355f, 1383, 1411, 1422, 1441, 1489, 1507, 1587, 1611, 1664, 1766, 1791, 1795, 1802, 1902, 1944, 1993, 1996, 2002, 2014, 2064, 2104, 2156, 2217, 2309-2310, 2312, 2352, 2380, 2424, 2425, 2430, 2431, 2446, 2527, 2559, 2565.

DeBleury, Charles Clément Sabrevois, 17, 44, 147, 255, 264, 300, 312, 313, 315, 387, 409, 411, 417, 484, 535, 551, 770, 919, 983, 1060, 1066, 1077, 1141, 1145-1146, 1146, 1151, 1151-1152, 1165, 1311, 1312, 1313, 1358, 1373, 1501, 1548, 1559-1560, 1582, 1668, 1675, 1716, 1718, 1813, 1815, 1851, 1852, 1853, 2034, 2165, 2175, 2176, 2177, 2201, 2273, 2329, 2460, 2477, 2495, 2496-2497, 2507, 2520, 2523, 2534, 2537, 2539, 2563.

Desaulniers, François, 711, 900-901, 948, 1209, 2112.

DeWitt, Jacob, 67, 117, 152, 218, 262, 300, 311, 372, 377, 389, 399, 543, 567, 568, 620, 720, 734, 793, 826, 958, 961, 996, 1008, 1072, 1129, 1137, 1144, 1145, 1271, 1279, 1281, 1288, 1300, 1527, 1632, 1634, 1773, 1839, 1900, 1945, 1951, 1998, 2015, 2114, 2123-2124, 2125, 2200, 2352, 2435, 2439, 2497, 2520.

Dickson, Walter Hamilton, 192, 254, 289, 300, 301, 352, 364, 374, 393, 394, 531, 585, 702-703, 705-706, 731, 734, 900-901, 1013, 1101-1102, 1105, 1105-1106, 1153, 1198, 1331, 1338, 1405, 1587, 1596, 1645, 1863, 1898, 1932, 1934, 1945, 1962, 1991, 1992, 1994, 1995, 2050-2051, 2121, 2148, 2167, 2169, 2174, 2202, 2218, 2256-2257, 2278, 2306, 2384, 2440, 2442, 2487.

Draper, William Henry, 1733, 1755, 1777, 1785-1786, 1789, 1790, 1791, 1794f, 1845, 1863, 1882-1883, 1883, 1894, 1903, 1903-1904, 1905, 1906, 1921, 1940, 1944, 1950, 1991, 2003-2004, 2021, 2030, 2038, 2045, 2052-2053, 2055, 2057, 2064, 2064-2085, 2085-2094, 2095, 2142, 2146, 2213, 2249, 2265-2267, 2268, 2272, 2274-2275, 2288, 2289-2290, 2317, 2318, 2326, 2327, 2350, 2354, 2361, 2362, 2370, 2372, 2386, 2391-2392, 2422, 2425, 2426, 2445, 2453, 2454, 2457, 2458, 2478, 2487, 2494, 2504, 2506, 2507, 2528, 2529, 2530, 2539, 2543, 2544, 2545.

Drummond, Lewis Thomas, 191-192, 217, 263, 408, 514, 585, 722, 723, 810, 822, 823, 948, 1019, 1073, 1074, 1075, 1141, 1347-1348, 1351, 1376, 1399, 1453, 1459-1460, 1460-1461, 1461, 1462, 1467, 1515, 1515-1517, 1519, 1533, 1537, 1663, 1716, 1717-1718, 1719, 1720, 1721, 1938, 1954, 2124, 2151-2152, 2156, 2163, 2174, 2176, 2207, 2286-2287, 2369, 2497, 2497-2498, 2531, 2577.



Duggan, George R., 10, 55, 113, 139-140, 239, 275, 300, 329, 342, 355, 356, 417, 483, 501, 506-507, 515, 538, 539, 551, 577, 585, 598, 733, 755, 760, 764, 773, 809, 811, 822, 825, 840, 906, 952, 983, 1008, 1013, 1014, 1015, 1041, 1042, 1045, 1047f, 1073, 1118-1119, 1124, 1140, 1146, 1147, 1191, 1236, 1250, 1297, 1307, 1336, 1377, 1385, 1423, 1438, 1440, 1472, 1475, 1481, 1512, 1846, 1952, 1961, 1965, 2006, 2008, 2024, 2037, 2049-2050, 2120, 2162, 2197, 2199, 2214, 2257-2258, 2304, 2312, 2386, 2558.

Dunlop, William, 5, 26, 46, 51, 71, 74, 97-99, 99, 100-101, 101-103, 115, 165, 169, 202, 213, 279-281, 288, 297f, 301, 313-314, 353, 373, 375, 382, 393, 398, 402-403, 409, 411, 460, 461, 462, 489, 490, 493, 520, 542, 543, 555, 557-558, 561, 566, 606, 607, 619, 626-627, 710, 734, 741, 762, 795, 796, 802, 805, 812, 813, 813-814, 814, 814-816, 816, 817, 817-818, 820, 822, 825, 826, 827, 831, 906-907, 907, 911, 948, 954, 962, 973-974, 983, 996, 998, 1022, 1034-1035, 1039, 1063, 1070, 1072, 1095, 1119, 1130, 1133-1134, 1139, 1139-1140, 1140, 1142, 1149, 1153, 1155, 1166, 1169-1170, 1170, 1194, 1197, 1214, 1215, 1217, 1219-1220, 1221, 1232, 1249, 1256, 1258, 1262, 1263, 1271, 1293, 1297, 1331, 1333, 1336, 1337, 1344, 1344-1345, 1358, 1372-1373, 1380, 1385, 1407, 1408-1409, 1434, 1438, 1444, 1467, 1477, 1485, 1493, 1511, 1522, 1530, 1541, 1548, 1609, 1616, 1625, 1626, 1660, 1663, 1676, 1680-1681, 1681, 1691, 1698-1699, 1699, 1700, 1716, 1724, 1725, 1733, 1743, 1748, 1753, 1782, 1790, 1794f, 1819, 1823, 1829, 1829-1830, 1846, 1877-1878, 1898, 1916-1917, 1921, 1938, 1945, 1951-1952, 1989-1990, 1991, 1996, 1997, 2007, 2008, 2010, 2022, 2023, 2026-2027, 2027, 2034, 2042-2043, 2097-2098, 2117, 2122, 2123, 2125, 2126, 2137-2138, 2142, 2181, 2182, 2184, 2203, 2213, 2214, 2258-2259, 2260, 2278, 2280, 2294, 2301, 2307, 2319, 2321, 2327-2328, 2359, 2369, 2370, 2371, 2393, 2422, 2423, 2440, 2444, 2452, 2452-2453, 2465, 2474f, 2487, 2488, 2492, 2501, 2507, 2522, 2533, 2538-2539, 2549, 2557, 2577.

## E

Ermatinger, Edward, 6, 6-7, 485, 514, 531, 565, 711, 733, 771, 983, 1187, 1222, 1223, 1233, 1293, 1482-1483, 1732, 1785, 1791, 1825, 1847, 2001, 2002, 2022, 2050, 2199, 2256, 2315, 2372, 2422, 2467, 2507.

## F

Foster, Stephen Sewel, 42, 217, 254, 299, 363, 378, 387, 399, 549, 731, 1049, 1137, 1221, 1248, 1251, 1280, 1635, 1658, 1678, 1687, 1845, 1925, 2513, 2564.

Franchère, Timothée, 493.

## G

Gowan, Ogle Robert, 4, 20, 23, 26, 37, 43, 103, 119-120, 120, 120-122, 122-124, 124, 124-125, 125-126, 126, 127, 127-128, 128, 129, 129-130, 130, 130-131, 131, 132, 133, 146, 152, 160, 161, 205, 211, 212, 218, 235, 236, 240, 241, 248, 255, 271, 273-274, 274, 287, 293, 317-318,



318, 341-342, 350, 350-351, 351, 352, 373, 375, 378, 381, 382-383, 387, 391, 392, 393, 399, 401, 461, 508-509, 536, 539, 551, 560, 561, 575, 585, 596, 600, 619, 620, 626, 630, 747, 753-754, 754, 763, 765, 794-795, 795, 828-830, 909, 910, 911, 912, 913, 914-918, 919, 920, 921, 923, 924, 925, 926, 939, 948, 952, 1012, 1020, 1030, 1031, 1039, 1043, 1044, 1045, 1063, 1063-1064, 1064, 1064-1065, 1065, 1065-1066, 1066, 1070, 1096, 1104, 1116, 1137, 1141, 1149, 1156, 1172, 1179, 1188, 1192, 1192-1193, 1222, 1223, 1228-1229, 1229-1231, 1249, 1249-1250, 1270, 1335, 1350-1351, 1351, 1382, 1386, 1395-1396, 1403, 1423-1424, 1424-1430, 1430, 1433, 1435, 1453, 1470f, 1475, 1479-1480, 1508, 1509, 1509-1510, 1510, 1540-1541, 1547, 1559, 1595, 1643, 1657-1658, 1684, 1687, 1689, 1711, 1732-1733, 1733-1734, 1734, 1734-1737, 1778, 1778-1779, 1779, 1779-1780, 1802, 1815, 1818-1819, 1822, 1839, 1846, 1848, 1920, 1921, 1962, 1997, 2015, 2045-2047, 2051, 2053-2054, 2054, 2094, 2102, 2117, 2129, 2163, 2201, 2207, 2208, 2218, 2269-2270, 2289, 2306, 2318, 2351, 2423, 2424, 2425, 2454, 2479, 2494, 2497, 2499, 2512, 2523, 2526, 2528, 2529, 2538.

Grieve, Edward, 51, 67, 146, 211, 219, 235, 241, 254, 263, 287, 289, 293, 300, 329, 364, 391, 411, 531, 706, 731, 802, 909, 951, 1096, 1160, 1162, 1332, 1472, 1643, 1689, 1802, 2112, 2507.

Guillet, Louis, 710, 1629, 2315.

## H

Hale, Edward, 17-18, 18, 20, 26, 82, 147, 154, 156, 254, 371, 372, 381-382, 528, 720, 721, 731, 762-763, 771, 822, 959, 961, 995-996, 1005-1006, 1006, 1007-1008, 1009, 1010, 1019, 1050, 1096, 1133, 1150, 1154, 1179, 1214, 1221, 1223, 1246, 1292, 1301, 1304, 1313, 1314, 1382, 1409, 1454, 1485, 1512-1513, 1513, 1537, 1538, 1549, 1552, 1558, 1585, 1616, 1660, 1676, 1687, 1696, 1699-1700, 1700, 1815, 1847, 1863, 1950-1951, 2008, 2166, 2183, 2187, 2199, 2213, 2281, 2352, 2516, 2521, 2523, 2524, 2532, 2543, 2564.

Hall, George Barker, 254, 263, 341, 711, 731, 1019, 1119, 1166, 1195, 1223, 1270, 1294, 1441, 1454, 1529, 1534, 1536, 1542, 1548, 1583, 1584, 1662, 1669, 1696-1697, 1698, 1706-1707, 1723, 1738, 1746, 1748, 1771, 1822, 1823, 1825, 2008, 2026, 2028, 2030, 2037-2038, 2097, 2103, 2118, 2124-2125, 2125, 2137, 2145, 2149, 2152, 2153, 2160, 2162, 2177, 2180, 2208, 2210, 2219, 2271, 2318, 2325, 2329, 2352, 2364-2365, 2365, 2365-2366, 2366-2367, 2465, 2468, 2491, 2493-2494.

Harrison, Samuel Bealey.

## J

Jessup, Hamilton Dibble, 387, 411, 703, 770, 983, 1191, 1522, 1632, 1932, 2173, 2178, 2181, 2193, 2214.

Jobin, André, 26, 217, 236, 254, 262, 312, 346, 531, 908, 1594, 1769, 1802, 1931, 1993, 2019, 2304.

Johnston, James, 4-5, 5, 17, 18, 19, 22, 23, 46, 115, 117, 172, 172-173, 236, 248, 273, 292, 293, 313, 316, 322, 345, 351-352, 373, 373-374, 375, 381, 402, 409, 493, 507-508, 542, 547, 555, 557, 559, 623, 627, 725, 732, 734, 752, 764, 911, 912, 934, 935, 955, 974, 978f, 982, 1009, 1031, 1042, 1059, 1073, 1078, 1096, 1118, 1140, 1142, 1154, 1155, 1169, 1195-1196, 1196, 1198, 1203, 1215, 1217, 1223, 1228, 1261, 1271, 1290, 1292, 1295, 1297, 1308, 1309, 1310, 1315, 1317, 1335, 1337, 1345, 1377, 1378, 1380, 1381, 1388f, 1401, 1423, 1434, 1441, 1442, 1443-1444, 1444, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1457, 1461, 1467, 1469f, 1475, 1476, 1481, 1512, 1535, 1538, 1548, 1550, 1553, 1582, 1591, 1604, 1606, 1609, 1675, 1676, 1681, 1691, 1720, 1749, 1790, 1825-1826, 1905, 1958, 2009, 2010, 2022, 2047-2048, 2100, 2118, 2128, 2142, 2150, 2151, 2161, 2186, 2194, 2204, 2207, 2257, 2260, 2285-2286, 2325, 2369, 2393, 2440, 2444, 2467, 2487, 2488, 2492, 2501, 2507, 2533, 2538, 2549, 2557.

## L

Lacoste, Louis, 254, 262, 299, 420, 483, 493, 531, 702-703, 719-720, 779, 802, 900-901, 908, 948, 1163, 1558, 1675, 1687, 2033, 2506, 2537, 2563.

LaFontaine, Louis Hippolyte, 20, 54, 115, 147, 180-183, 183-191, 237, 239, 248, 249, 264, 272, 274, 277, 295f, 299, 301, 315, 316, 322, 323, 376, 392, 395, 400, 405f, 417, 488, 535, 542, 546, 556-557, 564, 575, 576, 578, 583, 599, 620, 743, 772, 773, 780, 794, 796, 810, 826, 830, 913, 918-919, 919, 920, 921, 938, 941f, 943f, 952, 959, 976-977, 998-1000, 1008, 1022, 1040, 1050, 1054, 1060, 1061, 1061-1063, 1063, 1064, 1065, 1066, 1070, 1081f, 1141, 1158, 1173f, 1203, 1206f, 1222, 1223, 1235, 1247, 1262, 1288, 1292, 1298, 1308, 1309-1310, 1312, 1313, 1314-1315, 1315, 1316, 1328, 1332, 1338, 1338-1339, 1342, 1370, 1371, 1392, 1394-1395, 1395, 1397, 1410, 1430, 1431, 1434, 1467, 1505, 1529, 1529-1530, 1537, 1544f, 1554, 1558, 1560, 1561, 1605, 1607, 1662-1663, 1679, 1680, 1710-1711, 1711, 1718, 1720, 1750-1751, 1753-1754, 1754-1755, 1759f, 1767, 1777, 1778, 1781, 1813-1814, 1815, 1819, 1822, 1823, 1831, 1832, 1838, 1842f, 1846, 1848, 1849, 1850, 1921, 1941, 1953, 2006, 2055, 2161, 2177, 2178-2179, 2186, 2184, 2268, 2290, 2308-2309, 2309, 2311, 2351, 2373, 2381, 2423, 2425, 2426, 2427, 2428, 2434, 2435, 2471, 2472, 2496, 2534, 2563.

Lantier, Jacques Philippe, 20, 51, 56, 110, 346, 380, 483, 598, 702-703, 705-706, 710, 732, 733, 772, 773, 803, 830, 901, 908, 1010, 1018-1019, 1019, 1049, 1095, 1130, 1160, 1162, 1164, 1175, 1258, 1393, 1474, 1496, 1594, 1616, 1634, 1917, 1919, 1925, 2146, 2147, 2154, 2177, 2188, 2210, 2384, 2461, 2511.

Laterrière, Marc Pascal de Sales, 1129, 1270, 1332, 1490, 1558, 1561, 1634, 1814, 1957, 2030, 2154, 2185, 2460.

Laurin, Joseph, 54, 363, 460, 492, 495, 528, 598, 600, 726, 740, 743, 779-780, 827, 831, 908, 1143, 1144, 1164, 1253, 1258, 1260, 1282, 1496, 1543, 1558, 1634, 1711, 1820, 1862, 2010, 2019, 2177, 2183-2184, 2188, 2218, 2463, 2506, 2565.

Lawrason, Lawrence, 290, 363, 374, 464, 528, 551, 600, 710, 770, 804, 906-907, 983, 1009-1010, 1011, 1044, 1104, 1141.  
 LeBoutillier, John, 593, 731, 961, 1079, 1104, 2359.  
 LeMoine, Benjamin Henry, 299, 484, 531, 599, 802, 804, 972, 975, 977, 1072, 1075, 1323, 1716, 1818, 1898.  
 Leslie, James, 26, 152, 217, 312, 317, 395, 770, 1005, 1010, 1049, 1407, 1831, 1848, 1849, 1850, 2427.

## M

Macdonald, John Alexander, 27, 110, 217, 329, 512-513, 513, 528, 734, 802, 805, 900-901, 928-931, 938, 948, 973, 1019, 1066, 1068, 1148, 1198, 1236-1237, 1238, 1293, 1295, 1548, 1594, 1595, 1603, 1604, 1606, 1761, 1808, 1811, 1846, 1864, 1945, 1955, 2015, 2020, 2120, 2134, 2141, 2158, 2159, 2159-2160, 2162, 2192, 2193, 2194, 2195, 2315, 2317, 2354, 2420, 2445, 2454, 2461, 2462, 2466, 2467, 2468, 2487-2488, 2499, 2550, 2557.  
 Macdonald, John Sandfield, 140-141, 207, 311, 312, 358, 380, 705-706, 972-973, 1197, 1252-1253, 1259, 1305, 1307, 1380, 1382, 1385, 1392, 1394, 1435, 1441, 1442, 1478, 1481, 1484, 1485, 1504, 1609, 1609-1610, 1610, 1625, 1626, 1635, 1662, 1687, 1711, 1737-1738, 1781-1782, 1803, 1828, 1829, 1830, 1840, 1927, 1956, 2256, 2270, 2306, 2362, 2369, 2420.  
 Macdonald, Rolland, 7, 8, 12f, 26, 46, 60, 68, 70-71, 71, 110, 212, 232, 244, 277, 278, 279, 311, 345, 363, 374, 382, 400, 464, 492, 550, 565, 596, 711, 802, 804, 809, 810, 932, 933, 933-934, 953, 956, 1013, 1020, 1054, 1068, 1124, 1130, 1141, 1147, 1153, 1156, 1157, 1228, 1237-1238, 1259, 1260, 1279, 1307, 1322f, 1323, 1379, 1381-1382, 1383, 1392, 1441, 1466, 1480, 1503, 1540, 1626, 1681-1682, 1707, 1733, 1761, 1771-1772, 1772, 1772-1773, 1777, 1777-1778, 1789-1790, 1934, 1944, 1957, 1991, 1994, 1995, 2029, 2030, 2040-2041, 2051-2052, 2052, 2057, 2120, 2160, 2162, 2214, 2215, 2310, 2422, 2497, 2501.  
 Macdonell, Donald Aeneas, 22, 43, 53, 146, 147, 281, 348, 349, 376, 409, 564, 734, 799, 800, 1014, 1049, 1141, 1245, 1845, 1992, 2115, 2146, 2175, 2319, 2478, 2496, 2498, 2526, 2533.  
 Macdonell, George, 235, 288, 294, 296f, 300, 323, 329, 364, 373, 377, 380, 380-381, 382, 383, 398, 418, 492, 509-510, 515, 528, 558-559, 587, 598, 605-606, 606, 705-706, 731, 750, 812, 827-828, 828, 902, 931, 931-932, 971, 977, 1014, 1040-1041, 1068, 1078, 1095, 1140, 1148, 1149, 1154, 1165, 1166, 1175, 1195, 1196, 1209, 1213, 1216, 1216-1217, 1223, 1251, 1279, 1299-1300, 1304, 1306, 1307, 1345-1346, 1348, 1379, 1393, 1394, 1409, 1441, 1447-1448, 1460, 1478, 1481, 1484, 1519, 1590, 1625, 1526, 1632-1633, 1641f, 1666, 1707, 1749, 1755, 1761, 1791, 1816, 1838, 1839, 1893, 1944, 1949, 2000, 2031, 2137, 2138-2139, 2155, 2159, 2160-2161, 2204, 2213, 2261, 2261-2262, 2310, 2369, 2441, 2459, 2489, 2510, 2511, 2535.  
 MacNab, Allan Napier, 9, 13, 13-14, 14, 18, 41, 50, 54, 55, 101, 198, 213, 219, 253, 261, 275, 275-276, 277, 279, 291, 301, 315, 323, 339,



348, 354, 356, 357, 359, 363, 369, 374, 392, 399, 408, 409-410,  
 411, 416, 420, 459, 462, 463, 467, 481, 496, 508, 514, 525, 527, 529,  
 530, 543, 547, 559, 564, 575, 593, 594, 595, 609, 622, 623, 634, 699,  
 700, 701, 703, 704, 706, 706-707, 708, 723, 728, 729, 747, 749, 754,  
 773, 781, 799, 800, 802, 826, 830, 845, 899, 911, 912, 956, 979f,  
 981, 1010, 1011, 1012, 1018, 1021, 1031, 1035, 1036, 1038, 1041,  
 1059, 1060, 1075, 1077, 1094, 1108, 1119, 1122, 1129, 1142, 1144,  
 1145, 1146, 1147, 1148, 1151, 1155, 1156, 1157, 1160, 1162, 1168,  
 1170, 1172, 1181, 1192, 1194, 1198, 1216, 1219, 1223, 1244, 1251,  
 1263, 1264, 1278, 1281, 1282, 1283, 1304, 1307, 1312, 1313, 1315,  
 1316, 1323, 1337, 1373, 1375, 1376, 1378, 1378-1379, 1380, 1385, 1386,  
 1391, 1393, 1410, 1411, 1433, 1442, 1454, 1454-1455, 1455, 1467, 1478,  
 1485, 1486, 1488, 1489, 1513, 1519, 1533, 1537, 1538, 1540, 1543,  
 1547, 1560, 1561, 1586, 1587, 1589, 1603, 1604, 1604-1605, 1605, 1606-  
 1607, 1607, 1610, 1611, 1627, 1632, 1634, 1643, 1654, 1656, 1658,  
 1659, 1660, 1661, 1662, 1663, 1682, 1683, 1694, 1706, 1707, 1721,  
 1723, 1732, 1739, 1755, 1764, 1783, 1791, 1795, 1811, 1815, 1819,  
 1821, 1839, 1893, 1898, 1902, 1920, 1929, 1935, 1939, 1940, 1949,  
 1952, 1954, 1958, 1991, 1995, 1997, 1998, 2000, 2001, 2005, 2008,  
 2014, 2025, 2028, 2029, 2030, 2051, 2094, 2103, 2115, 2117, 2118,  
 2121, 2129, 2135, 2140, 2146, 2147, 2148, 2149, 2152, 2153, 2174,  
 2181, 2187, 2202, 2204, 2206, 2207, 2208, 2209, 2281, 2288, 2290,  
 2306, 2307, 2308, 2312, 2323, 2325, 2329, 2352, 2354, 2361, 2363,  
 2369, 2380, 2385, 2429, 2430, 2434, 2435, 2445, 2446, 2459, 2460,  
 2461, 2462, 2463, 2464, 2465, 2468, 2469, 2470, 2471, 2472, 2479,  
 2489, 2495, 2498, 2507, 2510, 2511, 2513, 2521, 2528, 2528-2529,  
 2529, 2531, 2537, 2539, 2543, 2546, 2548, 2549, 2550, 2572, 2573,  
 2576, 2577.

McConnell, John, 110, 156, 217, 240, 255, 262, 299, 483, 598, 702-703,  
 731, 778, 802, 900-901, 948, 1140-1141, 1233, 1243f, 1270, 1376,  
 1517-1518, 1522, 1643, 1676, 1845, 2166, 2199, 2461, 2516.

Merritt, William Hamilton, 549, 561, 585, 594, 600, 620, 765, 780, 810,  
 821, 821-822, 952, 955, 959, 983, 1003, 1009, 1023, 1044, 1118, 1150,  
 1214, 1221, 1222-1223, 1232-1233, 1250, 1250-1251, 1251, 1302, 1302-  
 1303, 1306, 1333, 1337, 1350, 1377, 1409, 1441, 1472, 1477, 1483,  
 1506, 1561, 1668, 1782, 1846, 1860, 1873-1875, 1875-1877, 1892, 1916,  
 1988, 1988-1989, 1990-1991, 1997, 2004, 2126, 2127, 2146, 2207, 2213,  
 2268-2269, 2288, 2289, 2305, 2307, 2316, 2319, 2323, 2354, 2362, 2373,  
 2420, 2445, 2454, 2481, 2487, 2526, 2530.

Méthot, Antoine Prospère, 329, 379, 600, 705-706, 770, 802, 951, 953, 983-  
 984, 1164, 1198, 1327, 1438, 1474, 1496, 1522, 1548, 1655, 1707, 1802,  
 1820, 1939, 1949, 2200-2201, 2210.

Meyers, Adam Henry, 39, 110, 217, 237, 256, 351, 418, 528, 549, 818-819,  
 982, 989-990, 1077, 1130, 1141, 1142, 1198, 1208, 1234, 1244, 1293,  
 1295, 1323, 1335-1336, 1582, 1583, 1584, 1626, 1658, 1749, 2047, 2100,  
 2116, 2116-2117, 2134, 2144, 2161, 2175, 2545, 2546.

Moffatt, George, 20, 51, 53, 55, 115-116, 152, 218, 239, 247, 254, 263,



288, 291, 300, 329, 379, 401, 409, 411, 484, 540, 541-542, 546, 547, 550, 556, 564, 564-565, 566, 567, 584-585, 620, 622, 623, 624, 626, 723, 727f, 740, 743, 793, 804, 824, 902, 907, 948, 955, 959-960, 961, 972, 974, 1001, 1009, 1015, 1019, 1039, 1043, 1060, 1095, 1118, 1130, 1141, 1143, 1144, 1148, 1149, 1150, 1162, 1164, 1179, 1191, 1192, 1212, 1244, 1260, 1268f, 1270, 1279, 1310, 1311, 1332, 1335, 1337, 1338, 1340-1341, 1341, 1345, 1393, 1402, 1434, 1444, 1451, 1466-1467, 1475, 1485, 1490, 1496, 1502, 1503, 1506-1507, 1517, 1535-1536, 1536, 1538, 1598, 1603, 1607, 1628, 1663, 1676, 1680, 1687, 1693, 1696, 1700, 1706, 1708, 1709, 1711, 1711-1712, 1712, 1718-1719, 1719, 1719-1720, 1720, 1753, 1781, 1788, 1793f, 1802, 1820, 1831-1832, 1846, 1858, 1864, 1875, 1883-1884, 1916, 1918, 1925, 1950, 1955, 1991, 1999, 2000, 2004, 2006-2007, 2007, 2020, 2039-2040, 2054-2055, 2122, 2125, 2126, 2127, 2127-2128, 2128, 2137, 2143, 2150, 2150-2151, 2151, 2181, 2195, 2201, 2207, 2213, 2214, 2215, 2255, 2256, 2267, 2278, 2368, 2434, 2435, 2454, 2460, 2478, 2498, 2524, 2532, 2538, 2545, 2553f.

Monro, George.

Morin, Augustin Norbert, 50, 54-55, 145-146, 163, 213, 218, 248, 263, 274, 295f, 299, 315, 340, 417, 484, 491, 559, 593, 600, 620, 625, 710, 731, 732, 746, 755, 770, 771, 777, 802, 903, 904, 933, 1020, 1038, 1040, 1055, 1096, 1138, 1179, 1186-1187, 1210, 1259-1260, 1295, 1359, 1372, 1392, 1395, 1502, 1522, 1531-1533, 1542, 1546f, 1559, 1561, 1584, 1629, 1663, 1674, 1675, 1680, 1811, 1840, 1845, 1848, 1855, 1932, 1956, 1961, 1991, 1996, 2029, 2035, 2150, 2159, 2289, 2309, 2321, 2577.

Murney, Edmund, 103, 218, 242, 256, 277, 409, 599, 706, 733, 802, 1166, 1208, 1249, 1261, 1334, 1334-1335, 1336, 1346, 1547, 1550-1551, 1582, 1604, 1626, 1687, 1692-1693, 1709, 1748-1749, 1777, 1900, 1904-1905, 1935, 1949, 1995, 2022, 2040, 2048-2049, 2049, 2278, 2369, 2434, 2435.

## N

Nelson, Wolfred, 50, 163, 197-198, 198, 198-202, 202, 202-203, 288, 409, 585, 599, 780, 830, 907, 1510, 1511-1512, 1543, 1661, 1701-1706, 1891-1892, 2430, 2457, 2518.

## P

Papineau, Denis Benjamin, 141, 141-145, 163, 263, 297f, 299, 356, 357, 417, 520, 529, 540, 544, 545, 598, 599, 706, 709, 1253, 1256, 1297, 1309, 1323, 1333, 1361-1370, 1373, 1374, 1537, 1538, 1539, 1540, 1541, 1546f, 1560, 1585, 1593f, 1672, 1679, 1680, 1685f, 1692, 1716, 1746-1747, 1750, 1754, 1766-1767, 1767, 1810, 1815, 1819, 1828, 1831, 1837, 1850, 1956, 2114, 2185, 2186, 2187, 2197, 2218, 2308, 2310, 2504.

Petrie, Archibald, 483, 740, 1035, 1036, 1139, 1157, 1171, 1172, 1246, 1358, 1569, 1948.

Powell, Israel Wood, 20, 56, 67, 344, 484, 600, 707, 1031, 1101, 1103, 1129, 1153, 1163, 1278, 1324, 1385, 1386, 1409, 1410, 1474, 1766, 1840, 1918, 1933, 2018, 2116, 2135, 2144, 2208, 2210, 2479, 2510.

Price, James Hervey, 19, 23, 43, 47, 110, 131-132, 132-133, 133-135, 135-138, 138, 138-139, 206, 218, 238, 244, 244-245, 245, 256, 257, 294, 329, 353, 404, 564, 568, 578, 598, 599, 706, 726, 733, 764, 804, 827, 830, 960, 982, 1009, 1011, 1014, 1024, 1031, 1095, 1163, 1175, 1195, 1199, 1215, 1225, 1228, 1260, 1261, 1262, 1271, 1358, 1441, 1472, 1479, 1481-1482, 1501, 1583, 1659, 1678, 1712, 1718, 1765, 1790-1791, 1828, 1915, 1950, 2001, 2005, 2018, 2024, 2028, 2029, 2122, 2123, 2129, 2145, 2278, 2279, 2370, 2372, 2384, 2422, 2433, 2434, 2457-2458, 2479.

Prince, John, 2, 2-4, 19, 22, 27, 43, 46, 60, 146, 262, 279, 294, 300, 339, 345, 349-350, 358, 375, 376, 379, 409, 462, 483, 484, 542, 543, 544, 546, 550, 550-551, 557, 559, 565, 572, 572-573, 576, 577, 588, 600, 705-706, 747, 752-753, 771, 772, 773, 777, 796, 805, 807, 809, 811, 901, 906, 907, 935, 935-937, 974, 994-995, 1000-1001, 1016f, 1022, 1039, 1043, 1068-1069, 1074, 1079, 1101, 1102, 1106, 1115, 1124, 1130, 1149, 1153, 1175, 1196-1197, 1217-1218, 1231-1232, 1245, 1249, 1258, 1294-1295, 1297, 1303-1304, 1312, 1315, 1316, 1333-1334, 1337, 1348, 1382, 1409, 1434-1435, 1482, 1500, 1502, 1530, 1530-1531, 1541, 1561, 1582, 1597, 1598, 1602, 1626, 1634, 1656, 1676, 1687, 1692, 1716, 1716-1717, 1721, 1737, 1742, 1743, 1746, 1747-1748, 1757f, 1765, 1768, 1780-1781, 1803, 1820, 1823, 1828, 1830, 1888-1891, 1900, 1918, 2001, 2010, 2025-2026, 2026, 2027, 2028, 2030, 2033, 2038, 2038-2039, 2115, 2129, 2130, 2136, 2288, 2290, 2305, 2306, 2307.

## R

Riddell, Robert, 67, 152, 237, 258, 263, 350, 351, 383, 543, 564, 634, 668, 720, 794-795, 812, 1070, 1095, 1814, 1893, 1935, 1939, 1962, 2026, 2054, 2055, 2102, 2112, 2147, 2148, 2192, 2271, 2538, 2540.

Robinson, William Benjamin, 26, 44, 50, 103, 110, 115, 204, 217, 247, 257, 263, 290, 292, 329, 342, 343, 387, 393, 460, 483, 519, 953, 1018, 1043, 1045, 1096, 1115, 1116, 1125, 1141, 1155, 1156, 1165, 1208, 1222, 1244, 1262, 1263, 1264, 1343, 1346-1347, 1360, 1376, 1386, 1387, 1438, 1446-1447, 1478, 1482, 1484, 1504, 1519, 1529, 1536, 1541, 1548, 1549, 1594, 1599, 1599-1600, 1600, 1601, 1608, 1609, 1610, 1611, 1627, 1627-1628, 1687, 1711, 1745, 1751, 1767, 1768, 1768-1769, 1808, 1865, 1872, 1879-1880, 1882, 1884, 1891, 1914, 1918, 1931, 1945, 1961, 1998, 2000, 2010, 2015, 2096, 2122, 2126, 2127, 2128, 2129, 2146, 2175, 2213, 2252-2254, 2256, 2261, 2263, 2323, 2327, 2350, 2351, 2362, 2387, 2387-2391, 2445, 2454, 2460, 2472, 2488, 2489, 2494, 2526, 2528, 2563.

Roblin, John P., 44, 66, 156, 217, 240, 245, 247-248, 292, 293, 352-353, 357, 363, 388, 396, 408, 411, 419, 462, 463, 550, 559, 576, 702-703, 763, 902, 934, 953, 983, 1045, 1068, 1074, 1102, 1197, 1205f, 1225, 1226-1227, 1234, 1235, 1250, 1261, 1270, 1301, 1303, 1324, 1335, 1336, 1351-1352, 1441, 1452, 1483, 1496, 1499, 1519, 1582, 1594, 1608, 1609, 1659, 1662, 1663, 1681, 1706, 1716, 1761, 1773, 1893, 1898, 1948, 1998, 2000, 2023-2024, 2026, 2027, 2116, 2127, 2249, 2306, 2322, 2323, 2350, 2352, 2361, 2363, 2364, 2371, 2380, 2393, 2422, 2428, 2445, 2464, 2465, 2467, 2491, 2510, 2516, 2520, 2526.

Rousseau, Léon, 218, 387, 908.

# S

Scott, William Henry, 2, 5-6, 6, 8, 20, 21, 50, 51, 54, 115, 203, 212, 217, 236, 255, 262, 288, 299, 328, 277, 409, 418, 515, 528, 776, 780, 902, 905, 971, 1104, 1148, 1150, 1221, 1222, 1472, 1474, 1594, 1625, 1698, 1700, 1701, 1746, 1749, 1755, 1777, 1778, 1793f, 1802, 1818, 1819, 2161-2162, 2421, 2443.

Seymour, Benjamin, 27, 60, 256, 292, 394, 400, 483, 702-703, 710, 802, 900-901, 983, 1020, 1236, 1248, 1292, 1293, 1488, 1504, 1548, 1674, 1745, 2148, 2158, 2178, 2461, 2467, 2499, 2500.

Sherwood, George, 110, 152, 219, 341, 354?, 394, 396-397, 702-703, 710, 731, 740, 770, 950-951, 982, 1029, 1030, 1034, 1035, 1041, 1047f, 1145, 1165, 1191, 1208, 1222-1223, 1248, 1250, 1281, 1378, 1616, 1626, 1656, 1672, 1678, 1749?, 1822, 1823, 1830, 1922, 1946, 2033, 2037, 2045, 2094, 2098-2099, 2099, 2099-2100, 2101, 2120, 2121, 2129, 2137, 2173, 2193, 2202, 2251, 2260-2261, 2441, 2446, 2454-2455?, 2478, 2495, 2507, 2533.

Sherwood, Henry, 20, 22, 23, 26, 45-46, 47, 87-92, 92, 92-95, 95-97, 114-115, 135, 168, 198, 213, 218, 235, 238, 245, 246, 254, 257, 264, 276, 276-277, 277, 278-279, 291, 292, 299, 301, 314-315, 318-319, 319, 319-320, 321, 322, 329, 342, 344, 345-346, 352, 354?, 355, 361f, 364, 372, 379, 382, 387, 394, 398, 401-402, 404, 406f, 408, 409, 417, 462, 463, 483, 495-496, 496, 496-498, 498, 498-501, 501, 502, 515, 528, 535-536, 549, 555, 556, 561, 570, 571, 573, 573-574, 574-575, 575, 576, 577, 577-578, 599, 710, 720, 722, 727f, 731, 732, 733, 740, 761-762, 763, 770, 772-773, 773, 809, 820-821, 824, 824-825, 826, 845, 892, 900-901, 901, 910, 919, 948, 955, 956, 957, 959, 961, 975, 994, 995, 1001, 1001-1002, 1008, 1014, 1019, 1021, 1030, 1035-1036, 1038, 1039, 1039-1040, 1041, 1044, 1066-1067, 1067, 1073, 1074, 1075, 1096, 1101, 1105, 1117, 1118, 1119, 1140, 1147, 1150-1151, 1152, 1153, 1159f, 1169, 1170, 1218, 1223, 1228, 1242f, 1249, 1251, 1252, 1253, 1260, 1261, 1268f, 1292, 1296-1297, 1297, 1301, 1302, 1303, 1304-1305, 1306, 1306-1307, 1334, 1335, 1337, 1349-1350, 1355f, 1395, 1396-1397, 1409, 1441, 1457, 1462, 1462-1463, 1463-1464, 1464-1466, 1478, 1480, 1484, 1485, 1486, 1496, 1533, 1533-1534, 1534, 1553, 1553-1554, 1554, 1554-1555, 1558, 1559, 1604, 1619, 1622, 1626, 1660, 1681, 1691, 1693, 1706, 1738, 1738-1739, 1739-1740, 1740-1741, 1749?, 1753, 1770, 1802, 1808, 1898, 1922, 1925, 1933, 1938, 1952, 1965, 2021, 2041-2042, 2043-2044, 2055, 2138, 2140, 2141, 2142, 2148, 2160, 2181, 2193, 2197, 2213, 2254-2255, 2284-2285, 2328-2329, 2370, 2373, 2422, 2454-2455?.

Small, James Edward, 159-160, 160-161, 161-162, 219, 317, 318, 319, 320-321, 321, 322-323, 341, 372, 379, 513, 514, 525, 526, 630, 1215, 1217, 1218-1219, 1219, 1236, 1265, 1335, 1336, 1396, 1422, 1511, 1583, 1771, 1847, 1927, 2025, 2026, 2027, 2097, 2143, 2144, 2152, 2153.

Smith, Harmanus, 218, 353?, 549, 564, 703, 706, 734, 982, 1020, 1021, 1103, 1270, 1293, 1380-1381, 1547, 1846, 1998, 2277.



Smith, James, 2, 9, 10, 14, 17, 19, 20, 20-21, 22, 42, 44, 52, 54, 57, 113, 114, 173, 173-174, 174, 174-176, 176-177, 177, 177-180, 183, 212, 213, 218, 234, 236, 238, 242, 242-243, 243, 243-244, 244, 245, 246, 246-247, 247, 248-249, 258, 259, 264, 272, 294, 300, 316, 316-317, 317, 351, 353, 356, 357, 359, 377, 380, 381, 389, 400, 401, 404, 406f, 409, 411, 417, 488, 494, 515, 520, 528, 529, 531, 544, 545, 546, 547, 567, 576, 580, 582, 582-583, 588, 593, 598, 599, 625, 625-626, 626, 627, 630, 722, 723, 723-724, 724, 725, 726, 732, 741, 754-755, 758, 772, 773, 794, 796, 951-952, 953-954, 954, 955, 956-957, 957, 958, 960, 972, 974, 994, 1000, 1020, 1021, 1032-1033, 1034, 1035, 1045, 1046f, 1057, 1058, 1096, 1117, 1117-1118, 1118, 1143, 1148-1149, 1150, 1150-1151, 1151, 1169, 1171, 1191-1192, 1194, 1195, 1199, 1202, 1205f, 1206f, 1208, 1220-1221, 1222, 1246, 1247, 1251, 1252, 1256, 1265, 1295, 1296, 1299, 1307, 1308, 1315, 1316, 1323, 1333, 1338, 1339, 1340, 1374, 1375, 1376, 1395, 1397-1399, 1399, 1435, 1442-1443, 1443, 1444, 1445-1446, 1457, 1476, 1476-1477, 1504, 1505, 1514-1515, 1515, 1519, 1529, 1536, 1537, 1540, 1548, 1549, 1550, 1591, 1597, 1597-1598, 1598, 1599, 1609, 1610, 1626, 1628-1629, 1636-1637, 1640, 1656, 1675, 1679, 1692, 1695, 1695-1696, 1699, 1700, 1701, 1711, 1717, 1753, 1766, 1769, 1769-1770, 1770-1771, 1810, 1811, 1823, 1824, 1824-1825, 1832-1834, 1834, 1842f-1843f, 1845, 1853, 1898, 1938, 1944, 1953, 1961, 1996, 1996-1997, 1997, 1998, 1999, 2002, 2004, 2010, 2023, 2024, 2100-2101, 2122, 2127, 2130, 2135, 2174, 2177, 2179, 2181, 2182, 2186, 2187, 2249, 2262, 2309, 2310, 2311, 2322, 2323, 2325, 2354, 2361, 2368, 2435, 2446, 2448, 2457, 2458, 2469, 2470, 2477, 2478, 2538, 2539, 2543, 2552.

Smith, Henry, 17, 23, 42, 44, 53, 155, 234-235, 245, 246, 247, 249, 264, 272, 275, 291, 295f, 328, 348-349, 349, 361f, 402, 489, 513, 535, 542, 543, 551, 702-703, 721, 748, 778, 803, 804, 948, 952, 983, 1019, 1115-1116, 1141, 1192, 1194, 1215, 1228, 1249, 1270, 1334, 1335, 1336, 1377, 1409, 1410, 1441, 1452, 1661, 1668, 1682, 1683, 1700, 1806, 1811, 1827, 1846, 1853, 1865, 1892, 1893, 1906, 1916, 1955, 2020, 2126, 2135, 2139, 2143, 2209, 2287, 2288, 2462, 2466, 2467, 2468, 2488, 2489, 2491, 2494-2495, 2499, 2500, 2543.

Stewart, Neil, 900, 1485.

Stewart, William, 56, 155, 256, 1096, 1332, 1392, 1394, 1548, 1594, 1616, 1657, 1675, 1765, 1846, 2143, 2149, 2177, 2178, 2212, 2273, 2321, 2359, 2360, 2384, 2440.

## T

Taché, Etienne Paschal, 26, 50, 317, 387, 528, 536, 598, 747, 830, 900-901, 901, 1079, 1096, 1106, 1125, 1143, 1292, 1372, 1438, 1500-1501, 1524, 1534, 1538, 1859, 1895f, 1899, 1931, 1995, 2030, 2112, 2136, 2153, 2158, 2192, 2207, 2310, 2373-2379, 2443, 2562.

Taschereau, Pierre Elzéar, 733, 951, 1032, 1221, 1590.

Thompson, David, 57, 243, 254, 257, 311, 328, 254, 364, 400, 400-401, 401, 404, 484, 551, 620, 701, 720, 741, 950, 952, 957, 1013, 1014,



1034, 1101, 1121, 1133, 1152, 1167, 1168, 1191, 1214, 1223, 1278, 1377, 1474, 1540, 1610, 1626, 1655, 1662, 1663, 1694, 1697, 1717, 1766, 1918, 1933, 2025, 2028, 2057, 2125, 2181, 2208, 2209, 2210, 2308, 2310, 2311, 2312, 2328, 2351, 2363, 2369, 2418, 2419, 2442, 2464.

## W

- Watts, Robert Nugent, 26, 203, 709-710, 731, 795, 802, 948, 1194, 1209, 1270, 1275, 1278, 1340, 1393, 1496, 1539, 1542, 1549, 1584, 1585, 1586, 1636, 1637, 1688, 1694, 1746, 1751-1752, 1781, 1808, 1811, 1815, 1827, 1846, 1884-1886, 1886, 1886-1888, 1888, 1893, 1917, 1917-1918, 2008, 2186, 2200, 2313, 2315.
- Webster, James, 212, 213, 289, 290, 374, 467, 474, 549, 774, 982, 1528, 1582, 1633, 1655, 1656, 1693, 1988, 2167, 2169, 2537.
- Williams, John Tucker, 23, 38-39, 39, 140, 282, 403-404, 418, 483, 510, 538, 549, 587, 598, 709-710, 732, 733, 773, 822-823, 900-901, 934, 989-990, 990, 1019, 1044-1045, 1068, 1146, 1148, 1150, 1157, 1213, 1239, 1250, 1261-1262, 1263, 1270, 1272, 1337, 1358, 1381, 1383, 1385, 1434, 1483, 1518, 1528, 1531, 1559, 1569, 1602-1603, 1626, 1687, 1742, 1787-1788, 1790, 1809, 1821, 1822, 1948, 2014, 2026, 2100, 2117, 2121, 2135, 2192, 2268, 2281, 2351, 2369, 2420, 2454, 2500, 2520, 2523, 2538.
- Woods, Joseph, 1733, 1920, 1925, 2153, 2315.

## SECTION II: SUBJECTS

ABBOTT, REV. JOSEPH, M. A.:--Petition of, for compensation for a work on Emigration, (60) 411, (88) 532. Referred, (89) 534-535.

ABSENTEES:--Vide Huron District.

ACADEMIES:--Petitions for aid: Of Rev. M. Townsend (of Rouville), and others, Clarenceville, (22) 218, (34) 266. Of William Ritchie, and William Walker, Sherbrooke, (22) 218, (34) 267. Of Directors of Shefford Academy, (30) 254, (40) 302. Of W. G. Cooke, and others, Charleston, (30) 255, (42) 307. Of Aaron A. Adams, and others, Barnston, (32) 262, (46) 334. Of John M'Conville, Berthier, (39) 299, (52) 364. Of J. Gosselin, and others, St. Gervais, (125) 710, (132) 737. Of William Baker, and others, Dunham, (193) 1096, (202) 1132.

ACCOUNTS, CONTINGENT:--Vide Contingencies.

ACCOUNTS, PUBLIC:--Vide Revenue And Expenditure.

ACTS, IMPERIAL:--Vide Union Act.

### ADDRESSES:

1. To Her Majesty:--Thanking her for having granted pardon to the transported rebels, and praying that she would give them an opportunity to reach England. Notice of Motion, 358.
2. To Her Majesty:--Praying for the exercise of the Royal Prerogative by a free pardon, indemnity and oblivion of all crimes, &c., connected with the unhappy troubles referred to in the Address of 30 August 1841, and of all attainders and outlawries during the period therein mentioned, &c., (58) 395. Address to His Excellency to transmit the same, (58-59) 395-396. His Excellency's Answer, (87) 530. Despatch in Answer, (301) 1797.
3. To Her Majesty:--Of Congratulation, on the birth of another member of the Royal Family. Notice of Motion, 400. Motion, (62) 417-418. Committee appointed to draft the Address, (63) 418. Reported and agreed to, (82) 488. Address to His Excellency to transmit the same, (82) 488-489. His Excellency's Answer, (87) 530. Despatch in Answer, (300-301) 1795-1796.
4. To Her Majesty:--On the subject of Duties by the Imperial Parliament on Colonial Shipping, (84) 494-495. Committee appointed to draft the Address, (84) 495. Address reported and agreed to, (90) 538-539. Address to His Excellency to transmit the same, (90) 539. His Excellency's Answer, (220) 1244.
5. To Her Majesty:--On the Union Act, respecting using the French Language in all Public Documents, (289-290) 1672-1674. To be engrossed, and communicated to the Council for concurrence, (290) 1674. Agreed to by the Council, (300) 1783. An Address from the Council to His

- Excellency to transmit the same (300) 1784. Agreed to, (305) 1810. Both Houses wait upon His Excellency; His Excellency's Answer, (317) 1895.
6. To Her Majesty:--Praying for reduction of the Imperial Duty on Tobacco, the produce of this Province, (318-319) 1900-1902. Address to His Excellency to transmit the same, (389) 2393. His Excellency's Answer, (428) 2528-2529.
  7. To Her Majesty:--On behalf of Alexander M'Leod, of township of Stamford, (403-404) 2442-2443. Address to His Excellency to transmit the same, (404) 2443. His Excellency's Answer, (428) 2528-2529.
  8. To Her Majesty:--On behalf of Hon. James Crooks, for the loss of a vessel, during the late War with the United States, reported by Committee, (380-381) 2301-2304. Concurred in; Sent to Council for concurrence, (416) 2487, (430) 2533. Concurred in, (434) 2546. Address to His Excellency to transmit the same, from the Council, (434) 2547. Agreed to, (435) 2549-2550. Both Houses wait upon His Excellency; His Excellency's Answer, (437) 2559.  
-----Previous Addresses answered, (64) 422-423, (64) 423, (64-65) 423-424, (65) 424-425.
  9. To Prince Albert:--Of Congratulation, on the birth of another member of the Royal Family. Notice of Motion, 400. Motion, (62) 417-418. Committee to draft the Address, (63) 418. Reported and agreed to, (82) 488. Address to His Excellency to transmit the same, (82) 488-489. His Excellency's Answer, (87) 530.  
-----Previous Addresses answered, (64) 422.
  10. To His Excellency:--For Return of names of persons appointed to any Office of Emolument, since 10 February 1841, to 4 December 1844, with dates of appointment, &c. Notice of Motion, 43. Motion, (12-13) 66-67. Presented, (383) 2312-2313. To be printed, (385) 2323.
  11. To His Excellency:--For correspondence with the Home Government relating to the Civil List, established by the Union Act, together with Reports of Council on same subject, not communicated. Notice of Motion, 44. Motion, (16) 117. By Message, with correspondence, (66-70) 428-448.
  12. To His Excellency:--For Accounts of all Moneys received and expended by the Trustees of the Quebec Turnpike Roads, under the Authority of the Ordinance, and doings of the Trustees since last Report. Notice of Motion, 147. Motion, (18) 154-155. Question concerning presentation; Answer, 972. Presented, (213) 1186. Vide Quebec Turnpike Roads.
  13. To His Excellency:--For Statement of Transactions in the Crown Timber Office, Bytown, for the years 1843 and 1844, with other information relating thereto, together with Amount paid to Surveyor General for surveys, and quantity of Square Timber and Sawlogs cut in other parts of the Province, &c. Notice of Motion, 56. Motion, (18) 155. Presented, (172-173) 962-963. To be printed, (297) 1745.
  14. To His Excellency:--For inquiry into the cause of the non-delivery of the Provincial Statutes of the last Session, in the district of St.

- Francis. Notice of Motion, 147. Motion, (19) 156.
15. To His Excellency:--Resolution thanking His Excellency for His Gracious Speech at the opening of the Session, on division, (21-22) 208-210. Committee to draft the Address, (22) 210-211. Address reported and agreed to, (27-28) 232-234. To be presented by the whole House, (28) 234-235. Attended; His Excellency's Answer, (30) 253.
  16. To His Excellency:--For copies of Papers, &c., compiled by the late Administration, relative to Receiver General's Department and also relative to Post Office Department. Notice of Motion, 212. Motion, (29) 238-239. Negatived, on division, (29) 239.
  17. To His Excellency:--For information relative to the issue of Militia Scrip. Motion, 212-213. Withdrawn Motion, 213. Vide Address, (30.)
  18. To His Excellency:--For copy of the Lease by which the Forges of St. Maurice are held, and of documents in relation to the future disposal of the same. Notice of Motion, 23. Motion, (28) 235. Presented, (143) 792. To be printed, (147) 809.
  19. To His Excellency:--For Statement of Cost of Macadamizing the Roads leading from Montreal to LaChappelle's Bridge, with amount of Tolls, &c., (28) 236-237. Presented, (178-179) 990-993.
  20. To His Excellency:--For Instrument by which the tract of land, called "the King's Posts," in district of Quebec, is now held by the Company of Merchant Adventurers of England, (28-29) 237. Presented, (71-74) 451-459.
  21. To His Excellency:--For Statement of the manner in which the Laws and other Official Documents are printed, and expense thereof, (29) 237. Presented, (84-85) 515-519.
  22. To His Excellency:--For copy of any correspondence between the Executive and Imperial Governments, relative to the 41st section of the Union Act, as to printing certain documents in the English language only. Notice of Motion, 147. Motion, (29) 237-238. By Message, (49) 346.
  23. To His Excellency:--For Tabular Statement of Moneys expended since 1830, for Public Improvements and Education, with authority for, and times of such expenditures. Notice of Motion, 56. Motion, (29) 239. Presented, (338) 1994.
  24. To His Excellency:--For a list of the different Offices of Government now filled. Notice of Motion, 147.
  25. To His Excellency:--For copy of Instrument calling the Hon. Denis Benjamin Viger to the Executive Council, and of the Instrument by which he was appointed Chairman thereof. Notice of Motion, 56. Motion, (29) 240. Presented, (71) 449-451.
  26. To His Excellency:--For documents on the subject of certain lots in the Town of Cornwall. Notice of Motion, 212. Motion; Withdrawn Motion, 244.
  27. To His Excellency:--For certain information relative to the University of King's College. Notice of Motion, 43. Motion, 244-245. Deferred Motion, 245.
  28. To His Excellency:--For correspondence relating to broken Lot 0, in



- Bytown, since 9 December 1843, (31) 256. By Message, with correspondence, (139-142) 781-792. To be printed, (196) 1104-1105.
29. To His Excellency:--For Account in detail of the debentures sold for improvement of River Trent, by 7 Will. IV, cap. 66, with the expenditure, (31) 256. Presented, (97) 586.
  30. To His Excellency:--For authority to Crown Land Department for issuing certain Militia Scrip, with other information relative to such Scrip, (39) 289-290. Presented, (148-151) 831-840. To be printed, (170) 951.
  31. To His Excellency:--For information as to any Answer being received to the Address of last Session relating to the Civil List, referring to the Office of Chief or Civil Secretary, (43) 311.
  32. To His Excellency:--For the number of Suits brought in the Court of Chancery since 19 July 1841: of Suits Adjudicated, of Fees paid, &c., (43) 311-312. Presented, (388) 2380.
  33. To His Excellency:--For detailed Accounts of the Trustees of the Toll-bar Roads at Montreal, and of the transactions of said Trustees since the last Return, (43) 312. Presented, (129) 725.
  34. To His Excellency:--For Report of Alphonso Wells, on the division line between Upper and Lower Canada, (49) 346. Presented, (192) 1075-1076.
  35. To His Excellency:--For Accounts and Charges of Returning Officers during the late General Election, for disbursements, &c., with amount allowed and disallowed. Notice of Motion, 316. Motion, (50) 348.
  36. To His Excellency:--For information as to the appointment of the Rev. Egerton Ryerson to the situation of Superintendent of Education. Notice of Motion, 316.
  37. To His Excellency:--For information as to the expense of the bridge recently erected near Bytown. Notice of Motion, 316.
  38. To His Excellency:--For Return of Survey by Board of Works for road over the Rouge Hill, and of a Site for a bridge over the River Rouge, with Cost of such Survey, and of road and bridge, (55) 372-373.
  39. To His Excellency:--For Statement of Contracts for erecting Union Bridge across the River Ottawa, at Bytown, &c., and of expenses of the Slides on the Ottawa, &c., (55) 373. Presented, (373) 2217.
  40. To His Excellency:--That an Abstract of the Revenue and Expenditure of the Province be published quarterly, with Receipts at the several Ports. Notice of Motion, 358. Motion, (56) 377.
  41. To His Excellency:--Praying that the communication between Quebec and Pictou en route to Halifax, by the Packet "Unicorn" be kept up. Notice of Motion, 379. Motion, (57) 389-390. By Message, (102) 609. By Despatch, (401-402) 2431-2433.
  42. To His Excellency:--For Report of Commissioners on Post-Office System in British North America, referred to in the Despatch of 3 August 1843, and any correspondence and other documents on same subject, (57) 390. By Message, with correspondence, (139) 781-782. To be printed, (178) 990.
  43. To His Excellency:--For copy of Instrument, by which Bernard Turquand,

- Esq. acted as Receiver General, and of the bonds given by him. Notice of Motion, 379. Motion, (57-58) 390-391. Presented, (102-105) 610-619.
44. To His Excellency:--For valuation of damages sustained by inhabitants of St. Clément and St. Timothée de Beauharnois, near Beauharnois Canal, as estimated by Capt. Wetherall and C. Manual. Notice of Motion, 400. Motion, (62) 417. Presented, (192) 1076.
  45. To His Excellency:--For Statement of loss sustained by Parish of St. Eustache, by burning of the Convent and Church in 1837, (63) 418-419. Presented, (129) 724-725.
  46. To His Excellency:--For suspension of Hon. Denis Benjamin Viger from his post until he shall have obtained a Seat in Parliament. Notice of Motion, 465.
  47. To His Excellency:--For Statement of all Fees and Emoluments received by the Clerk of the Crown in Upper Canada for the years 1843 and 1844. Notice of Motion, 400. Motion, (83) 492. Presented, (173) 963-964.
  48. To His Excellency:--For copy of Petition, signed by Peter Aylen, and others, from the Ottawa River, to the Executive Government, (83) 493. Presented, (173-175) 964-971.
  49. To His Excellency:--For an Advance to the Clerk of the House, of £4000, towards defraying the Contingent Expenses of the House, (85) 520.
  50. To His Excellency:--Praying that the Political Offenders of 1837 and 1838, graciously pardoned by Her Majesty, may be afforded a passage to reach their homes, (92) 543-544. By Message, (102) 610. Further Message, with Despatch, (301) 1796-1797.
  51. To His Excellency:--For Statement of existing Claims on Provincial Revenue, which were unsettled on 31 January 1844. Motion, 546-547. Withdrawn Motion, 547.
  52. To His Excellency:--For copy of Lease granted for working Mines and Minerals on the River Gatineau, (95) 555. Presented, (272-273) 1588-1589.
  53. To His Excellency:--For Tabular Statement of each of the Scholastic Institutions receiving an Annual Grant, with number of pupils in each, (96) 567-568. Presented, (383) 2313.
  54. To His Excellency:--For copies of the last four Quarterly Returns of the Deputy Postmaster General to England, (134) 741. Presented, (213) 1186. Vide Postage.
  55. To His Excellency:--For copies of Instruments, by which the Seigniorship of Beauharnois is possessed, and amount paid as Droit de Quint, to the Crown. Notice of Motion, 726. Motion, (134) 743-744. Presented, (241-242) 1383-1385.
  56. To His Excellency:--For Return of income of each Seigniorship held by the Crown in Eastern Canada, the names of Agents, and amount of Droit de Quint received since 1830, (135) 745. Presented, (230) 1288.
  57. To His Excellency:--For copy of Statistical Report of Superintendent of Board of Education for the year 1843, (168) 908. Presented, (220) 1225. To be printed, (227) 1278.
  58. To His Excellency:--For Accounts from Trustees of the Turnpike Road

- from Longueuil to Chambly, by Ordinance 4 Vic., cap. 16, and Statements of transactions of said Trustees, (168) 908. Presented, (273) 1589.
59. To His Excellency:--For Statement of Accounts of Trinity House, Quebec, for the last four years, Sums lent from the Pilot's Stock, and other information relating thereto. Notice of Motion, 751. Motion, (170) 951. Presented, (230) 1288. Vide Commerce.
  60. To His Excellency:--For direction to the Board of Works to enquire and report respecting an ice bridge over the River St. Lawrence, for the benefit of the inhabitants of Three Rivers, (170-171) 951-953. Presented, (402) 2433.
  61. To His Excellency:--For Despatches to and from the Colonial and Imperial Governments respecting the University of King's College, (185-186) 1031. By Message, with correspondence, (198-199) 1110-1115. To be printed, (204) 1137.
  62. To His Excellency:--For direction to the Board of Works to enquire and report respecting an ice bridge between the city of Quebec and Point Lévy, (186) 1032. Presented, (402) 2433. To be printed, (413) 2478.
  63. To His Excellency:--For Statement of Sums expended by Board of Works, since its formation and for copies of all tenders submitted to the Board of Works. Notice of Motion, 561. Motion, 1043-1045. Withdrawn Motion, 1045.
  64. To His Excellency:--For communications between the Imperial and Colonial Governments, and of the Government of Canada and New Brunswick, in relation to the boundary between Canada and New Brunswick. Notice of Motion, 1043. Motion, (190) 1056-1058. By Message, (255) 1489.
  65. To His Excellency:--For communications between the Colonial and Imperial Governments, respecting the late Election at Montreal, and especially as to the conduct of John Young, the Returning Officer. Notice of Motion, 1043. Motion, (190) 1058-1059. By Message, with communications, (211-213) 1181-1186.
  66. To His Excellency:--For Statement of Licenses for the last two years, for cutting timber on Crown Lands in certain counties of Eastern Canada, with the quantity of timber exported therefrom, (197) 1106-1107. Presented, (287) 1664.
  67. To His Excellency:--For Reports, Surveys, &c., referring to the line between Upper and Lower Canada, and correspondence between Executive Government and Mrs. Widow DeBeaujeu, and others, thereon, (208) 1164.
  68. To His Excellency:--For Return of Claims for damages claimed by inhabitants of Dundas, by construction of St. Lawrence Canal, and other information relating thereto, (227) 1279. Presented, (373) 2217. To be printed, (408) 2457.
  69. To His Excellency:--For correspondence between the Lutheran Congregation of Williamsburgh and the Executive Government, respecting a certain lot in said Township, (227-228) 1279-1280.
  70. To His Excellency:--For Account of Harbour Dues at the Port of Toronto, in 1843 and 1844, with balance of said Harbour Dues unpaid

- in 1843. Notice of Motion, 379. Motion, (232) 1297. Presented, (249) 1422.
71. To His Excellency:--For Survey of the River St. Charles, with a view of forming a safe and secure dock for shipping at the Port of Quebec, (232) 1298-1299.
  72. To His Excellency:--For Report of Capt. Jones, on expenditure of £48,000 by Canada Company, (236-237) 1331-1332.
  73. To His Excellency:--For Statement of Public Works, required by 4 and 5 Vic., cap. 38, (237) 1332.
  74. To His Excellency:--For Report of Commission of Enquiry into Indian Department made in January 1844, with any other Report on the same subject, (238) 1358. Presented, (383) 2313. To be printed, (427) 2523.
  75. To His Excellency:--For communications between the Provincial Government and Deputy Postmaster General since 1 January 1844, on conveyance of the mail between Montreal and Bytown, (238) 1358-1359. Presented, (338) 1993-1994. To be printed, (339) 1996.
  76. To His Excellency:--For Return of Tonnage, and number of ships, &c., owned in this Province in 1844, distinguishing the places where employed, and descriptions of vessels, &c., (245) 1408. Presented, (386) 2353.
  77. To His Excellency:--For last Annual Report of Superintendent of Education, (252) 1474.
  78. To His Excellency:--For Statement of War Losses awarded in Upper Canada, and unpaid; of Indians entitled to award, &c., (252) 1475. Presented, (386) 2352-2353.
  79. To His Excellency:--For Return of persons holding a plurality of Offices in Upper Canada, (252-253) 1475.
  80. To His Excellency:--For correspondence between the Government, and District Council of Niagara, on payment of certain Militia of said District, in July 1842, (258) 1503.
  81. To His Excellency:--For Statement of valuation of lands on Canal Reserve in township of Murray, and other information relating thereto, (271) 1583. Presented, (301-302) 1798-1801.
  82. To His Excellency:--For communications on construction of Windsor Harbour, and road to Lake Scugog, (271) 1583-1584.
  83. To His Excellency:--For Account of expenditure on Cobourg Harbour, and of survey connecting the same with the road between Port Hope and Rice Lake, (271) 1584. Presented, (439) 2565-2566.
  84. To His Excellency:--For amounts expended on Welland Canal, from Thorold to Port Dalhousie, &c., and of a certain survey made from Thorold to Niagara, during the Election for latter town, &c., (274) 1596. Presented, (388) 2380-2381.
  85. To His Excellency:--For communication respecting the establishment of a Small Cause Court in the Parish of La Baie de Febvre. Motion, 1636-1637. Withdrawn Motion, 1637.
  86. To His Excellency:--For repeal of those portions of the Acts 5 Geo. IV, cap. 119, and 6 Geo. IV, cap. 59, relating to the Commutation



- of Lands in Canada. Motion, 1637-1640. Postponed Motion, 1640.
87. To His Excellency:--Congratulating His Excellency on his elevation to the Peerage, and expressing gratitude to Her Majesty, for rewarding His Excellency's distinguished merit, (295) 1716, (296) 1742-1744. To be presented by the whole House, (296) 1744. Presented; His Excellency's Answer, (307) 1819.
  88. To His Excellency:--For communications respecting the Thurlow Grammar School, for the year 1844, (299) 1765.
  89. To His Excellency:--For Statement of disbursements under Acts for Support of Light Houses in Upper Canada, for years 1833, 1834, 1835, 1836, and 1837, with names of parties receiving the same, &c., (299) 1766. Presented, (349-350) 2104-2105.
  90. To His Excellency:--That measures be adopted to insure to the inhabitants of Lower Canada, indemnity for losses sustained during the Rebellion of 1837 and 1838, (307) 1818-1819.
  91. To His Excellency:--For Return of names of Wardens of House of Industry of city of Montreal, for the last five years, with amount of property held by them, (318) 1900.
  92. To His Excellency:--For an advance to the Clerk of the House, of £5,000, towards defraying the Contingent Expenses thereof, (339) 1998.
  93. To His Excellency:--For correspondence relating to lands belonging to Nicholas Sparks, of Bytown, taken possession of since 1840, by the Ordnance Department, (343) 2022.
  94. To His Excellency:--For communications between His Excellency, and the Secretary of State, relative to the alterations in Charter of University of King's College, (343) 2022.
  95. To His Excellency:--For inquiry relating to the Tribe of Indians known as "Mountaineers," occupying certain lands, called "the King's Posts," and other Seigniories in occupation of Hudson's Bay Company, with other information relative to said Indians, (351) 2114-2115.
  96. To His Excellency:--For Reports of Messrs. Atherton and Boxer, on the channels in Lake St. Peter, (356) 2142.
  97. To His Excellency:--For Statement of amounts paid to the Receiver General, by Treasurers in Upper Canada, for support of a Lunatic Asylum, during the years 1840, 1841, 1842, 1843, 1844, and 1845, (356) 2143. Presented, (373) 2217-2218. To be printed, (389) 2392.
  98. To His Excellency:--For encouragement to continue the mail communication between Quebec and Pictou, en route to Halifax, (356) 2144.
  99. To His Excellency:--For papers relative to William Moore Kelly, late Collector of Customs, up to this date, (364) 2174-2175. Presented, (388) 2381. To be printed, (428) 2529.
  100. To His Excellency:--For inquiry into Claims of inhabitants of Mille Roches, and that Petitions of George Robinson, and others, Robert Froste, and of Jacob Brown, and others, accompany the Address, (364) 2175.
  101. To His Excellency:--For Return of Custom House Bonds, Port of Montreal, in 1842, 1843, and 1844, (365) 2176. Presented, (383) 2313.

102. To His Excellency:--For relief to James Perchard, Abraham Coffin, and others, engaged in the Fisheries in Gulf of St. Lawrence, (369) 2200.
103. To His Excellency:--For correspondence between His Excellency and Samuel P. Jarvis, respecting the Accounts of the Indian Department, (375) 2278.
104. To His Excellency:--For Return of the expense of Police Force, and of expenses for preservation of the Public Peace, in 1843 and 1844, and other information, within ten days of next Session, (385) 2323.
105. To His Excellency:--For information on the resignation of Solicitor General Henry Sherwood. Motion; Withdrawn Motion, 2354.
106. To His Excellency:--For Accounts of District Agents for sale of Crown Lands in default, and authority to Agents to collect debts due for Clergy Reserves sold before 1840, (388) 2384.
107. To His Excellency:--For Despatches, and Answer to Despatches, between the Colonial and Imperial Governments, on University of King's College and alteration of its Charter, especially one in answer to application of Queen's College on the subject, (389) 2386-2392.
108. To His Excellency:--To enquire into all manner of complaints against the Board of Works. Motion; Withdrawn Motion; Notice of Motion, 1921. Motion, (407) 2452-2453, 2454-2455. Negatived, on division, (407-408) 2455-2456.
109. To His Excellency:--For preservation of Public Records and Ancient Archives of La Nouvelle France of Canada, and of Province of Quebec, in the vaults of Parliamentary Buildings, Quebec, (411-412) 2470.
110. To His Excellency:--Transmitting Report of Select Committee on Petition of Peter Anderton, of the Eastern district, for His Excellency's favourable consideration, (413) 2478.
111. To His Excellency:--For Returns of Public Accounts, Tariffs, Products, &c. Notice of Motion, 2354. Motion, (414-416) 2481-2486. Negatived, on division, (416) 2487.
112. To His Excellency:--For Return of increased duties received under 4 and 5 Vic., cap. 14, and whether such duties have been applied to the payment of £1,000,682 sterling, (416) 2487.
113. To His Excellency:--With copy of Report of Select Committee on Petition of Mrs. Jennet Roy, (416) 2488.
114. To His Excellency:--Recommending the payment of the Claim of Samuel and Stephen R. Andres, Contractors on the Chambly Canal, (418) 2491-2492.
115. To His Excellency:--For Warrant in favour of Mr. Speaker for £9,500, to defray certain Contingencies of the Session, (420) 2501-2502.
116. To His Excellency:--To transmit Petition from both Houses to Her Majesty and Imperial Parliament, on importation of certain articles in Foreign Vessels, from the Council, (421) 2503-2504.
117. To His Excellency:--For the sum of £9,187 2s. 1<sup>1</sup>/<sub>2</sub>d., in favour of the Clerk of the House, towards defraying the Contingencies of the present year, (427) 2522.
118. To His Excellency:--That the Commissions of the present members of

the Board of Royal Institution be revoked, (427) 2523.

119. To His Excellency:--For copy of Report, from the Home Government, of Commission on Post Office Department, (427) 2523-2524.

ADELAIDE TOWNSHIP:--Petition of John Arthurs, and others, that said Township be not divided, (137) 771, (167) 903. Referred, (178) 988. Vide Limits And Divisions.

ADJOURNMENTS:--Vide Legislative Assembly.

ADMINISTRATION OF JUSTICE:--Petition of Stephen S. Foster, and others, county of Stanstead, for increasing the terms of holding Circuit Courts therein, &c., (14) 110, (24) 223. Petition of W. G. Blanchard, and others, for removal of District Court, of the county of Two Mountains, (39) 299, (52) 364. Petition of M. N. Corry ((or Corvy)), M. D., and others, for amendments to the Small Debts Court Bill of Upper Canada, (30) 254, (41) 304. Referred, (48) 340. Vide Municipal District Of Niagara. Petition of Hon. Baron Grant de Longueuil, and others, for amendment to the Judicature Act of Lower Canada, (30) 254, (41) 304. Petition of William Baker (of Missisquoi), and others, the same, (216) 1208, (225) 1273. Petition of L. G. DeLorimier ((or Delorimier)), and others, for amendments to the Act relating to Circuit Courts in Lower Canada, (56) 387, (81) 485. Petition of Robert E. Burns, and others, of the legal profession, for the establishment of two Superior Courts of Common Law, and that three Judges be appointed to preside over the Court of Chancery, or other measures be adopted to improve the present administration of the Law, (176) 982, (188) 1051. Referred, (314) 1854. Report of Commissioners on practice and proceedings of Court of Chancery also referred to same Committee, (319) 1903. Report of John ((or Thomas)) Kirkpatrick, and others, also referred, (342) 2018-2019.

-----Petition of William Ketcheson, Jr., and others, praying for the repeal of the Act relating to Small Debts, (216) 1208, (225) 1273.

-----Petition of Municipal Council, district of Victoria, for defraying the expenses of the Administration of Justice of said district, out of the Provincial Revenue, (292) 1687, (298) 1762. Vide Municipal District Of Niagara.

-----Petition of William Thurber, M. D., and others, for removal of the Circuit Court from St. Croix to Lotbinière, (255) 1496, (264) 1556. Referred, (264-265) 1558. The Petition of Daniel Byrne, and others, of St. Sylvester, also referred, (265) 1558-1561. Report, (316) 1862-1863. Petition of G. Vanfelson, and others, of Quebec, for appointment of proper persons to report on the decision of Courts of Justice in Lower Canada, (311) 1846, (324) 1928. Referred, (324) 1929. Petition of John ((or Thomas)) Kirkpatrick, and others, for formation of Court of Appeals, (327) 1945, (341) 2017. Referred, (342) 2018-2019. Supra.

-----Notice of Question regarding Government's intention to introduce Bill



to provide for the payment of expenses attending the Administration of Justice in Upper Canada, out of the Consolidated Revenue Fund, 57.  
Question; Answer, 243.

- Bill to diminish Costs on certain Suits at Law in the District Courts of Upper Canada, presented and read, (38) 288.
- Bill to increase the jurisdiction of the District Courts; Withdrawn Bill, 294.
- Bill to enable the several Courts of Queen's Bench in Upper and Lower Canada, to issue writs of Subpoena ad Testificandum. Notice of Motion, 147. Bill presented and read, (43) 311. Read the second time, (147) 809-811. Referred, (147) 811.
- Bill to amend the Laws relating to District Courts in Upper Canada, presented and read, (49) 344-345. Second reading, (233) 1304-1305. Committed, (233) 1305. Considered, (233) 1305-1307, (251) 1441-1442, (253) 1477-1478. Reported, (258) 1504. Passed, (263) 1549. By the Council, (328) 1947. Royal Assent, (370) 2206. (8 Vic., cap. 13.)
- Vide also Burns, Robert E.
- Bill to amend the Act relating to the recovery of Small Debts in Upper Canada, presented and read, (49) 345-346. Read second time; Referred, (254) 1488. Reported; Committed, (277) 1619. Considered, (322) 1920. Reported, on division, (326) 1934-1935. Vide Questions Negatived, (40.) Passed, (330) 1961-1963. By the Council, (369) 2203. Royal Assent, (440) 2569. (9 Vic., cap. 37.)
- Bill to make further regulation for holding Courts of Assize, Nisi Prius, &c., in Upper Canada, presented and read, (185) 1030. Read second time; Committed, (233) 1301. Considered, (233) 1301-1304. Reported, (233) 1304. Passed, (234) 1323-1324. By the Council, amended, (328) 1947. Amendments considered and agreed to, (343) 2021-2022. Royal Assent, (370) 2206. (8 Vic., cap. 14.)
- Bill to allow the issuing of Testatum Writs of Capias ad Respondendum in Upper Canada, presented and read, (328) 1946. Read second time, (353) 2120. Vide Questions Negatived, (46.) Committed, (353) 2120. Considered; Reported, (353) 2121. Passed, (354) 2136. By the Council, (373) 2217. Royal Assent, (439) 2567. (8 Vic., cap. 36.)
- Notice of Question of Government, concerning its intention to relieve the people of Upper Canada of the District taxation for the Administration of Justice, 2354.
- Bill supplementary to Act of last Session relating to Administration of Justice in district of Gaspé. Notice of Motion, 56. Bill presented and read, (29) 240. Read second time, (143) 793-794. Referred, (143) 794. Reported, (196) 1103. To be engrossed, (204) 1137-1138. Passed, (210) 1176. By the Council, with amendments, (253) 1476. Amendments considered and agreed to, (261) 1527-1528. Royal Assent, (440) 2568. (8 Vic., cap. 32.)
- Notice of Question concerning Judicature of Lower Canada, 400.
- House resolves to go into Committee to consider of amending the Act of Lower Canada (Geo. III., cap. 6), as relates to Counsel of relations and friends respecting Vacant Estates; Considered, (63) 420.



Resolution reported and agreed to, (63-64) 420. *Infra*.

- Bill to enable Notaries to call meetings of relations and friends in certain cases, presented and read, (64) 420. Read second time; Referred, (147) 811-812. Reported; Committed, (208) 1163. Considered; Reported, (228) 1282. Passed, (231) 1294.
- Bill relating to Clerks of the Commissioners' Courts, for trial of Small Causes in Lower Canada, and to prevent their arbitrary dismissal, presented and read, (139) 777-778. Read second time, (215) 1193-1194. Committed; Considered; No Report, (215) 1194.
- Vide also Addresses, (85.); Advocates; Division Court Act; Jurors; Limitation Of Actions; Municipal District Of Niagara; Practice Of The Law; Questions Negatived, (32.)

ADVERSE POSSESSION:--Vide Conveyancing.

ADVOCATES:--Bill to amend Act of Lower Canada, allowing Fees to Advocates before Commissioners' Courts, presented and read, (83) 492. Second reading, in six months, on division, (139) 778-781.

AGRICULTURAL PRODUCE:--Vide Agriculture; Duties.

AGRICULTURAL SOCIETIES:--Vide Agriculture.

- AGRICULTURE:--Petition of William Evans, for aid in publishing a work on Agriculture, (39) 299, (52) 365. Motion for referral, 624-630. Withdrawn Motion, 630. Another Motion, the same, 751-765. Withdrawn Motion, 765. Petition of William Evans, for a survey of the Province, for the promotion of Agriculture, (210) 1175, (221) 1245. Petition of William G. Edmundson, for aid in advancing the interests of Agriculture, (95) 564, (125) 712.
- Petitions for aid to Agricultural Societies: Of Talbot District Agricultural Society, (80) 484, (94) 553. Referred, (95) 565. Of John Williams, and others, county of Shefford, (92) 549, (99) 601.
  - Petitions for amendments to Act of Upper Canada, respecting Agricultural Societies: Of William Buell, and others, (341) 2015, (351) 2114. Of George Crawford, (360) 2163, (367) 2197.
  - Notice of Motion for continuation of grant to Agricultural Societies, 43.
  - Reports of the Agricultural Societies of county of Two Mountains, for 1841, 1842, and 1844, of county of Drummond for 1843 and 1844, and of county of Chambly for 1844, laid before the House, (201) 1129.
  - Select Committee appointed to consider of amending the laws relating to Agriculture in Lower Canada, (186) 1032. Report, (226-227) 1275-1277. Committed, (257) 1502. Considered, (262) 1542-1543. Resolution reported and agreed to, (272) 1585-1586. *Infra*.
  - Special Committee to enquire into the cause of the present state of the Agricultural interest in many parts of Lower Canada, and report upon the relief necessary, (204) 1138.
  - Select Committee to enquire into expediency of amending the laws of

Lower Canada, on abuses prejudicial to Agriculture, (271) 1584. Bill reported and read, (305) 1808. Order for second reading discharged, (344) 2028.

-----Bill to re-establish Agricultural Societies in Upper Canada. Notice of Motion, 588.

-----Bill to continue an Act establishing Agricultural Societies in Upper Canada, presented and read, (271) 1582. Order for seconding reading discharged, (287) 1664.

-----Bill to repeal certain Acts, and to encourage Agriculture in Lower Canada, by establishment of Agricultural Societies therein, presented and read, (272) 1586. Order for second reading discharged; Bill withdrawn, (294) 1696.

-----House resolves to go into Committee, to consider of amending and continuing the Act of Upper Canada, granting a sum of money for encouragement of Agriculture, and Agricultural Societies; His Excellency assents to the House proceeding thereon; Subject considered, (285) 1656. Resolution reported and agreed to, (291) 1678. *Infra*.

-----House resolves to go into Committee, to consider of granting an aid to Agricultural Societies in Upper Canada, (291) 1678. Considered, (326) 1935. Resolution reported and agreed to, (328-329) 1949. Committee to bring in a Bill, (329) 1949. Bill reported and read, (337) 1988. Read second time; Committed; Considered, (371) 2208. Reported, (374) 2219. Passed, (374) 2277. By the Council, (400) 2429. Royal Assent, (442) 2574. (8 Vic., cap. 54.)

-----House resolves to go into Committee, to consider of granting aid to Agricultural Societies in Lower Canada; His Excellency assents to the House proceeding thereon; Subject considered, (306) 1811. Resolutions reported and agreed to, (308) 1827. *Infra*.

-----Bill to repeal certain Acts, and better to encourage Agriculture in Lower Canada, by establishing Agricultural Societies therein, presented and read, (308) 1827. Read the second time; Committed, (326) 1939. Considered, (326) 1939-1940. Reported, (329) 1949. Passed, (330) 1961. By the Council, (355) 2140. Royal Assent, (442) 2574. (8 Vic., cap. 53.)

ALFARO, MRS. M. C.:--Petition of, for relief, (169) 948, (177) 986.

ALIENS:--Petition of Joseph Donegani, for Legislative confirmation of the Act of Lower Canada, 1 Will. IV., cap. 53, and that certain claims may be quieted, (3) 19, (5-6) 30. Referred, (49) 344. Report, (269-271) 1578-1582. Committed, (271) 1582. Considered, (326) 1935-1939. Resolution reported and agreed to, (326) 1939. *Infra*.

-----Petitions for extension of time for Aliens to take Oaths required by Law: Of William M. Wilson, and others; of Flint L. Keyes ((or Keys)), M. D., (3) 20, (8) 38. Petitions referred, (167) 904. *Infra*.

-----Petitions for Naturalization: Of Prince Tobey, (4) 26, (12) 65. Of Pierpoint E. Adams, (10) 60, (18) 154. Of Richard Ham, and others, in favour of Stephen Wilber Champlin, (10) 60, (18) 154. Of Austin E.

Cadwell, (14) 110, (23) 221. Of Noah C. W. Cannon, (30) 254, (41) 303. Of Rev. Henry Von Rohr; of Charles White, and others, (32) 262, (46) 333. Of Henry Ort; of Alonzo J. Ewers; of Cornelius B. Griffin, (93) 549, (100) 602. Of John White (of Hamilton), and others, (93) 552, (101) 605. Of Morris C. Lutz, (95) 564, (125) 711. Of H. Williams, (176) 982, (189) 1052. Petitions of Charles White, and others; of Rev. Henry Von Rohr, referred, (49) 344. Vide Municipal District Of Niagara. Petitions referred, *Infra*.

-----Petition of Johnston Neilson, that the rights of British subjects be not granted to natives of the United States, (93) 551, (100) 603. Referred, (101) 608. *Infra*.

-----Bill to quiet Titles to Lands of persons naturalized under the Statute of Lower Canada, 1 Will. IV., cap. 53, presented and read, (326) 1939. Order for second reading, (352) 2119. Read second time, (376) 2282-2287. Vide Questions Negatived, (53.) Committed, (376) 2287. Considered, (376) 2287-2288. Reported, (376) 2288. Passed, (383) 2315-2316. Vide Questions Negatived, (55.) By the Council, (432) 2542. Reserved for Her Majesty's Pleasure, (441) 2571.

-----Vide also Members.

-----Petition of John Donegani, that he may be heard by Counsel against the Bill, (360) 2163, (367) 2197. Counsel to be heard, (365) 2176. Counsel heard, (376) 2282.

-----Bill to amend the Act, conferring on certain inhabitants the Civil and Political rights of British natural born subjects. Notice of Motion, 56. Bill presented and read, (13) 67. Read second time and referred, with an Instruction, (75) 461. Petitions referred to same Committee: Of Prince Tobey; of Pierpoint E. Adams; of Austin E. Cadwell (81) 487. Of Richard Ham, and others, (89) 534. Of Rev. Henry Von Rohr, (95-96) 565-566. Of Johnston Neilson, (101) 608. Of Alonzo J. Ewers; of Cornelius B. Griffin; of Henry Ort, (126) 713. Of Morris C. Lutz, (133) 739. Of Flint L. Keyes, M. D.; of William M. Wilson, and others, (167) 904. Bill reported; Committed, (196) 1103. Considered, (246) 1409-1410, (286) 1659-1660. Reported, (291) 1678-1679. Passed, (292) 1688. By the Council, amended, (408) 2456. Amendments considered, (413-414) 2479-2481. Agreed to, (414) 2481. Reserved for Her Majesty's pleasure, (441) 2572.

ALLEN, MRS. MARY:--Petition of, for pecuniary aid, as widow of Corporal Allen, killed at Odeltown in 1838, (295) 1716, (303) 1803, (303) 1802, (313) 1852.

ALLSOPP, JANE:--Petition of, for relief, her late husband being deprived of certain privileges in Seignior of Jacques Cartier, (182) 1019, (194) 1098.

ALWAY, MRS. SARAH:--Petition of, that the wages of her late husband, as a Member of Parliament in Upper Canada, be paid to her, (93) 550, (100) 603.



ANCIENT ARCHIVES:--Committee appointed to enquire respecting the Ancient Archives of La Nouvelle France, &c., (134) 741. Report; To be printed; Committed, (315) 1860. Considered, (411) 2469. Resolution reported and agreed to, (411-412) 2470. Vide Addresses, (109.)

APPOINTMENTS TO OFFICE:--Vide Addresses, (10.)

ARCHAMBEAULT ((OR ARCHAMBAULT)), EUGENE:--Petition of, for remuneration as Clerk of Municipal Council, district of Leinster, (22) 218, (34) 266.

ASSESSMENTS:--Two Petitions of Municipal District of Simcoe, for amendments in the Assessment Acts of Upper Canada, (9) 50, (14) 111. Of Municipal District of Johnstown, the same, (263) 1547, (276) 1617. Latter Petition referred, (304) 1805. Vide Johnstown District.

-----Motion for appointment of a Select Committee to examine and report upon the expediency of amending the Assessment Law of Upper Canada, 400-404. Withdrawn Motion, 404.

-----Return of Assessments for Upper Canada, for the year 1844, (181) 1013.

-----House resolves to go into Committee to consider of amending the Assessment Laws of Upper Canada, so far as relates to the town of Brockville, (364) 2173. Considered, (364) 2174. Resolution reported and agreed to; Bill reported; Bill presented and read, (369) 2202.

-----Vide also Taxes.

ASSURANCE:--Vide Insurance.

ATTACHMENT OF SALARIES:--Bill to attach Official Salaries for payment of debts. Notice of Motion, 56. Bill presented and read, (38) 289. Read second time, (180) 994-996. Referred, (180) 996. Reported; Committed, (208) 1163. Considered, (215-216) 1198. Reported, (216) 1198. Clause added, (220-221) 1245. Passed, (221) 1245. By the Council amended, (253) 1476. Amendments considered and agreed to, (258) 1502-1503. Reserved for Her Majesty's pleasure, (441) 2572.

-----Vide also Salaries.

AUCTIONEERS:--Vide Duties.

AYLEN, PETER:--Vide Addresses, (48.)

B

BAIRD, N. H.:--Petition of, for remuneration for giving evidence before Committees of the House of Assembly in Upper Canada, (44) 329, (53) 368-369. Referred, (190) 1056. Report; Committed, (251) 1440. Considered, (410) 2464.

BANK NOTES:--Petitions for the repeal or reduction of the tax upon the



circulation of Bank Notes: Of Bank of Upper Canada; of Commercial Bank, of the Midland District; of Gore Bank, (263) 1548, (276) 1618. Of Bank of Montreal; of City Bank of Montreal; of the Banque du Peuple; of James Gibb, President of the Quebec Bank, (302) 1802, (313) 1852. Petitions referred, (281) 1645, (318) 1899.

-----Vide also Duties.

BANKRUPT ACT:--Petitions for amendments to the Act: Of Louis E. Pacaud, Commissioner, (251) 1472, (259) 1523. Of Robert Lang, and others, (311) 1846, (324) 1928.

BANKS:--Statements of their affairs ordered, (128) 720. Laid before the House: Of Quebec Bank; of Bank of Montreal; of City Bank of Montreal; of Commercial Bank of the Midland District, (175) 981. Of Canadian Branches of Bank of British North America; of Bank of Upper Canada, (201) 1129. Of Gore Bank, (207) 1162. Statements referred, (214) 1190. Report, (403) 2442.

-----Vide also Bank Notes; Duties; Savings Banks.

BAPTISTS:--Petition of Committee of Management of Canada Baptist Missionary Society for Act of Incorporation, (30) 254, (41) 304. Referred to Committee on Private Bills, (43) 310-311. Report, (83) 491.

-----Bill to incorporate Canada Baptist Missionary Society, presented and read, (95) 556. Read second time; Referred to Committee on Private Bills, (136) 749. Reported, (190) 1056. Committed; Considered; Reported; Ordered to be engrossed, (215) 1191. Order for engrossing discharged; Bill further considered and reported, (218) 1212. Passed, (220) 1244-1245. By the Council, (251) 1442. Royal Assent, (370) 2205. (8 Vic., cap. 102.)

BARNSTON ACADEMY:--Vide Academies.

BASTARD SUGAR:--Petition of James G. Heath, and Co., and others, for a return of half the duties on said Sugar, imported by them, (60) 411, (88) 531.

BASTICAN SEIGNIORY:--Vide Feudal Tenure.

BAYHAM TOWNSHIP:--Petition of David Griffin, and others, that the said Township be annexed to the London District, (137) 770, (167) 903. Referred, (183) 1023. Vide Limits And Divisions.

BEAUHARNOIS CANAL:--Petition of Leonard H. Dunlop, for payment of amount due as Sub-Contractor on said Canal, (231) 1293, (235) 1326. Referred, (235) 1327. Vide Chambly Canal.

-----Vide also Addresses, (44.)

BEAUHARNOIS RETURNING OFFICER:--Notice of Motion to defray expenses of Mr.

Lemoine, 726.

-----Vide also Lemoine, William Henry.

BEAUHARNOIS SEIGNIORY:--Vide Addresses, (55.)

BELL, JULIA:--Two Petitions for continuation of the pension, and remuneration for the services of her late husband, (22) 219, (34) 267, 267-268. Referred to Committee on Contingencies, (48) 340. Report, (257) 1500.

BELL, NATHANIEL:--Petition of, for arrears of pension as a Militiaman during the late War with the United States, (234) 1323, (244) 1402.

BELLECHASSE COUNTY:--Vide Morin, Augustin Norbert.

BENEFIT BUILDING SOCIETIES:--Bill for regulation of Benefit Building Societies, presented and read, (257) 1502. Read second time; Referred to Committee on Private Bills, (292) 1683. Reported, (346) 2035-2037.  
-----Vide also Montreal Building Society.

BERTHIER ACADEMY:--Vide Academies.

BEVERLY TOWNSHIP:--Vide Surveying.

BILLS, FROM LEGISLATIVE COUNCIL:--Vide Boards Of Trade; Divorce.

BILLS, PRIVATE:--Standing Committee on, appointed, (38) 287. Subjects referred: Petition of Canada Baptist Missionary Society, (43) 310-311. Bill to incorporate Sherbrooke Cotton Factory, (51) 355. Bill to confirm Imperial Act on Gaspé Fishing and Mining Company Incorporation, (51) 356. Petition of Eden Colville, (54) 370. Petition of Congregation of Our Lady, Montreal, (56) 388. Bill, Quebec Firewood Society, (83) 490. Bill to incorporate Quebec Forwarding Company, (83) 491. Bill to incorporate Quebec Library Association, (83) 491. Petition of Rev. Jacob Carr, and others, Evangelical Society, (102) 609. Petition of Montreal Board of Trade, (126) 713. Bill to incorporate Canada Baptist Missionary Society; Bill to build a bridge over River Richelieu, (136) 749. Petition of Daniel M'Dougal, of Niagara, (177) 987. Bill to incorporate High School, Montreal, (180) 1004. Petition of Adolphus Williams, (183) 1023. Bill, Les Soeurs de la Congrégation Notre Dame de Montréal; Bill, Le Petit Séminaire de Ste. Thérèse de Blainville, (187) 1037. Petition of Home District Mutual Insurance Company, (190) 1055. Petition of Rev. John Cordner, and others, Christian Unitarians, (195) 1100. Petition of Rev. Theobald Schneider, and others, Unitarians, (195) 1101. Bill to incorporate Sherbrooke Cotton Manufacturing Company, (215) 1196. Petition of Rev. Jean Claude Léonard, (217) 1210. Petition of Thomas M'Allister, and others, (221) 1248. Humber Harbour and Road Bill, (224) 1258. Petitions of John

Paterson, and others; of George Rolph; of William Binkley, and Edward Lyons, (226) 1275. Bill for relief of Christian Unitarians, (238) 1353. Petitions of William Reynolds, and others; of D. Henderson, and others; of William C. Boyd, and others; of A. D. Fordyce, and others; of Directors of Bronte Harbour, (256) 1498. Bill to construct a Railroad from Montreal to the Province Line, (279) 1630. Bill to convey to, and hold by College of Regiopolis, certain Real Estate, (280) 1631. Bill to incorporate Les Révérends Pères Oblats, (287) 1665. Bill for regulation of Benefit Building Societies, (292) 1683.

-----FIRST REPORT: On Petition of Canada Baptist Missionary Society; on Petition of Congregation of Our Lady, Montreal, (83) 491. SECOND REPORT: On Gaspé Fishing Bill, (105) 620. THIRD REPORT: On Sherbrooke Cotton Factory Bill, amended, (135) 746. FOURTH REPORT: On Bill to incorporate Quebec Firewood Society, amended, (167) 904-905. On Bill to incorporate Library Association, amended, (167) 905. FIFTH REPORT: On Bill to incorporate town of Niagara; on Petition of Adolphus Williams; on Bill to incorporate Canada Baptist Missionary Society, (190) 1056. SIXTH REPORT: On Petition of Eden Colville; on Petition of Home District Mutual Insurance Company, (204) 1138. On Petition of the Rev. John Cordner, and others, (204) 1138-1139. SEVENTH REPORT: On Bill to incorporate Le Petit Séminaire de Ste. Thérèse de Blainville, amended, (213) 1186-1187. EIGHTH REPORT: On Bill to authorize John Yule, Jr., to build a bridge over the River Richelieu, amended, (217) 1210-1211. On Petition of Rev. Jacob Carr, and others, and Rev. Theobald Schneider, and others (Evangelical Association), (218) 1211-1212. NINTH REPORT: On Petition of Thomas M'Allister, and others, (231) 1295. On Bill to incorporate High School of Montreal, amended, (232) 1295-1296. On Bill to authorize Les Soeurs de la Congrégation Notre Dame de Montréal, amended, (232) 1296. TENTH REPORT: On Petition of Rev. Jean Claude Léonard, (238) 1359, (238-239) 1359-1360. On Petition of John Paterson, and others; of George Rolph; of William Binkley, and Edward Lyons, (238) 1359. ELEVENTH REPORT: On Humber Harbour Bill, amended, (260) 1524-1526. On Petition of William Reynolds, and others; of D. Henderson, and others; of A. D. Fordyce, and others, (260) 1526. Of William C. Boyd, and others, (260-261) 1526. On Petition of Directors of the Bronte Harbour Company, (261) 1527. TWELFTH REPORT: On Petition to incorporate Chambly Cotton Manufacturing Company, amended, (290) 1674-1675. THIRTEENTH REPORT: On Bill, "Christian Unitarians"; on Bill, "Les Pères Oblats," amended, (314) 1855. On Bill to incorporate Quebec Forwarding Company, (314) 1856. On Petition of Montreal Board of Trade, respecting Quebec Forwarding Company, (314) 1856, (314-315) 1856-1858. On Bill to construct a Railroad from River St. Lawrence, near Montreal, to the Province Line, in township of Stanstead, (314) 1856. FOURTEENTH REPORT: Bill to convey certain Real Estate to College of Regiopolis, &c., amended, (325) 1932. FIFTEENTH REPORT: Bill for regulation of Benefit Building Societies, with evidence, (346) 2035-2037.

-----Period for receiving Private Bills and Reports thereon, extended, (62) 417, (136) 747, (218) 1212. For receiving Reports, (279) 1629-



1630, (314) 1855, (339) 1996.

BILODEAU, MRS. MARIE F.:--Widow of Jacques Langlois. Petition of, for pension for services of her late husband, (40) 300, (53) 367.

BISHOP, JAMES:--Petition of, for the Government allowance as a school teacher, (99) 600, (132) 736. Referred, (138) 775-776. Report, (373-374) 2218.

BLUE BOOK:--Copy of, for 1843, (181) 1013.

BOARD OF WORKS:--Report of the Board of Works, laid upon the table, (251) 1441. To be printed, (261) 1529-1536.

-----Petitions for investigation of complaints against the Board of Works: Of Leonard H. Dunlop, (263) 1548, (276) 1617. Referred, (304) 1805. Vide St. Lawrence Canal. Of P. Watier ((or Waitier)), and others, (274) 1594, (281) 1644. Of Cornelius H. Finlay; of James Hunter, M. D., (311) 1846, (324) 1928. Of John Strickland; of Garret Molloy, (311) 1847, (324) 1928. A Petition from Upper Canada containing charges against Board of Works, presented; Withdrawn, 1942. Of Asa Annis, (330) 1961, (342) 2017. Petition of Asa Annis referred, (345) 2034.

-----House resolves to go into Committee to consider of amending the Act establishing the Board of Works, and imposing Tolls on certain Works, &c., (339) 1996. Considered, (339) 1996-1997. Resolution reported and agreed to, (343) 2023.

-----Bill to amend the Act establishing a Board of Works in this Province, presented and read, (343) 2023. Order for second reading, (366) 2181-2182. Read second time; Committed, (371) 2208.

-----Motion for a Commission to inquire into all matters of complaint against the Board of Works, &c., (407) 2452-2453. Negatived, on division, (407-408) 2455-2456.

-----Vide also Addresses, (63, 108.)

BOARDS OF TRADE:--Petition of members of Board of Trade, Toronto, for Act of Incorporation, (44) 329, (53) 368. Referred, (54) 370. Bill reported and read, (89) 535-536. Read second time; Committed, (186) 1035. Considered, (186) 1035-1036. Reported, (186) 1036. Passed, (194) 1097. By the Council, (221) 1247. Royal Assent, (242) 1392. (8 Vic., cap. 24.)

-----Bill to render permanent two Acts of Lower Canada, incorporating the Boards of Trade of Montreal and Quebec, brought from the Council and read, (308) 1826-1827. Read second and third times and passed, (411) 2468-2469. Royal Assent, (440) 2568. (8 Vic., cap. 67.)

-----Vide also Montreal Board Of Trade; Quebec Board Of Trade.

BOLTON AND HATLEY TOWNSHIPS:--Petition of Jonathan Merry, and others, for certain portions of said Townships, to be set apart as a separate township, (32) 262, (48) 339-340. Referred, (59) 396. Also Petitions of



Alvan Villiams, and others; of E. Colvile, and others; of Charles DeWitt, and others, referred to same Committee, (59) 396, (61) 414, (177) 987.

BONDS AND SECURITIES:--Registrar's Report laid before the House, (32) 261.

BONNER, JOHN, AND WILLIAM PETRY:--Petition of, that the proceedings on their Petition in 1842, be resumed, (4) 20, (8) 38. Referred, (183) 1020.

BOUCHETTE, JOSEPH:--Petition of, for encouragement in publishing a map of the Province, (30) 255, (42) 307.

BOUNDARY LINES:--Petition of Col. A. W. Light, for relief against the decision of Boundary Line Commissioners, (17) 152, (26) 229. Referred, (27) 231. Report, (128) 720.

-----Petition of G. Rutledge, and others, that the line between the 5th and 6th Concessions of township of Loughborough be established, according to the decision of the Boundary Line Commissioners, (145) 804, (169) 949.

-----Petition of John Vauloon, and others, that the Eastern boundary of the 10th and 11th Concessions of township of Leeds be established, (183) 1020, (194) 1099.

-----Petition of John Kilborn, and others, that the boundaries of their lines in township of Crosby be defined, (224) 1270, (234) 1325. Referred, (235) 1327.

-----Petition of James Coin, and others, that no alteration be made between the 2nd and 3rd Concessions of township of Winchester, (243) 1392, (252) 1473.

-----Vide also Line Fences And Water Courses; Province Line.

BOYLE, RICHARD M., AND OTHERS:--Petition of, for payment of arrears due him for work on Queenston and Grimsby Roads, (92) 549, (99) 601.

BREWERS:--Vide Duties.

BRITISH AMERICA FIRE AND LIFE ASSURANCE:--Vide Insurance.

BRITISH AND CANADIAN SCHOOL:--Vide Montreal British And Canadian School; Quebec British And Canadian School.

BRITISH PLANTATION VESSELS:--Vide Plantation Vessels.

BROCK'S MONUMENT:--Petition of John Stayner, and others, for enquiry into proceedings of Committee, appointed to receive subscriptions for, and to superintend the erection thereof, (372) 2213, (377) 2292. Motion to refer the Petition, negatived, on division, (384) 2319.

-----Question concerning fund for Brock's Monument; Answer, 2354.

BRONTE HARBOUR:--Vide Harbours.

BUILDING SOCIETIES:--Vide Benefit Building Societies; Montreal Building Society.

BURLAND, BENJAMIN, AND OTHERS:--Petition of, for increase of Salary as land waiters at Port St. Johns, (33) 264, (47) 338.

BURLINGTON BAY CANAL:--Vide Spaun, Mrs. Dorothy E.

BURNS, JAMES, AND JOHN GORDON:--Petition of, for relief of payment of wharfage on wheat at Montreal, (402) 2439, (424) 2516.

BURNS, ROBERT E.:--Petition of, for amendment to District Court Law, to enable him to practise as a Barrister and Counsel in the Courts of Equity in Upper Canada, (383) 2315, (386) 2359.

BYTOWN:--Petition of L. T. Besserer, and others, for incorporation of said town, (263) 1548, (276) 1618.

-----Bill to define the limits of Bytown, and to establish a Board of Police therein, presented and read, (290) 1675. Read second time; Committed; Considered, (344) 2029. Reported, (347) 2057. Passed, (354) 2136. By the Council, with amendments, (385) 2326.

-----Vide also Addresses, (13, 28, 37.); Governor General, Messages From His Excellency, (7.)

## C

CALL OF THE HOUSE:--Vide Legislative Assembly.

CAMERON, DONALD:--Petition of, for appointment of Commission on subject of grievance, (44) 329, (53) 368. JOURNALS read on the subject of his Petition, in 1836, to Provincial Parliament in Upper Canada, (257) 1501. Subject referred, (257) 1502. A Member added to Committee, (262) 1539. Report, (413) 2476.

CANADA AND NEW BRUNSWICK BOUNDARY:--Vide Addresses, (64.); Province Line.

CANADA COMPANY:--Vide Addresses, (72.)

CANADA FIRE ASSURANCE:--Vide Insurance.

CANALS:--Vide Beauharnois Canal; Chambly Canal; Grenville Canal; Murray Canal Reserve; St. Lawrence Canal; Welland Canal.

CANBORO' AND SIMCOE ROAD:--House resolves to go into Committee to consider of reviving and amending the Act of Upper Canada, imposing a tax on

lands, adjoining said Road, (227) 1278. Considered, (227) 1278-1279. Recommited, (233) 1301. Considered, (246) 1410-1411. No Report, (246) 1411.

CAYUGA GLASS FACTORY:--Vide Manufactures.

CENSURE OF MINISTRY:--Vide Ministry.

CENSUS:--Petition of Léon Charles Clément, for remuneration for taking Census of county of Saguenay, (22) 218, (34) 266. Petition of Joseph Ouellet, for remuneration for taking Census of county of Rimouski, (30) 254, (40) 302. Petition of James Corbett, Alexis Paulet, and Louis Millette, for taking Census in Sorel, (386) 2359, (403) 2440. -----Returns for Lower Canada, (32) 261.

CHAMBLY CANAL:--Notice of Question regarding expenses of, 561. Question; Answer, 796.

-----Petition of Samuel and Stephen R. Andres, for payment of a certain sum obtained in judgment against the Commissioners of said Canal, (188) 1050, (195) 1100. Referred, (221) 1246-1247. Infra. His Excellency assents to the House proceeding on said Petition, (221) 1246. Petition of John Whitlaw, and William Tennant, for a settlement of their account as contractors on said Canal, (288) 1668, (293) 1689. Motion to refer the Petition, negatived, on division, (313) 1853.

-----Special Committee appointed on management and collection of Duties on said Canal, (168) 906-907. Petition of Samuel and Stephen R. Andres, and the Message of His Excellency, relating to certain claims on said Canal, referred to said Committee, (221) 1246-1247. Two Members added to Committee, (221) 1247. Petition of Leonard H. Dunlop, also referred, (235) 1327. Committee to report from time to time. FIRST REPORT: On Petition of Samuel and Stephen R. Andres, (245) 1407. Committed, (251) 1440. Considered, (286) 1660-1661. SECOND REPORT: (345) 2034. First Report again considered, (411) 2465. Resolution reported and concurred in, on division, (418) 2491-2492. Vide Addresses, (114.)

CHAMBLY COTTON FACTORY:--Vide Manufactures.

CHAMPLAIN AND ST. LAWRENCE RAILROAD:--Vide Railroads.

CHARLESTON ACADEMY:--Vide Academies.

CHASSEURS CANADIENS:--Petition of M. Héroux, and others, of St. Phillippe, for remuneration for their services as Chasseurs Canadiens, (307) 1818, (313) 1853. Referred, (317) 1899. Vide Lands, Public.

CHRISTIAN UNITARIANS:--Vide Unitarians.

CHRISTIN, MICHEL, JR.:--Petition of, for indemnity for loss of his son

and daughter, being drowned in crossing from Beauharnois, (131) 733, (146) 806. Referred, (147) 808. Vide Claims For Damages By Public Works.

CHURCH SOCIETIES:--Vide Clergy Reserves.

CIRCUIT COURTS:--Vide Administration Of Justice.

CIVIL GOVERNMENT:--Vide Supply.

CIVIL LIST:--Charges on, (67-70) 430-448.

-----Vide also Addresses, (11, 31.); Salaries.

CIVIL SECRETARY:--Notice of Question concerning Office of Civil Secretary, 212. Question; Answer, 242.

-----Vide also Addresses, (31.)

CLAIMS FOR DAMAGES BY PUBLIC WORKS:--Petitions of Rev. J. O. Archambault, and others; of Joseph Daigneau, and others, Beauharnois Canal, (22) 217, (33) 265. Of John Gilchrist, by the Public Works, (30) 254, (41) 304. Motion to refer the Petition, negatived, on division, (231) 1294-1295. Of C. C. Grece, and others, Grenville Canal, (32) 262-263, (46) 334. Referred, (147) 808. Of William Cottingham, Buckborn Rapids, (33) 263, (46) 336. Of William Wood, and others, Cornwall Canal, (95) 564, (125) 712. Of Jacob Brown, and others; of George Robertson, and others, St. Lawrence Canal, (131) 734, (146) 807. Of Robert Froste, St. Lawrence Canal, (183) 1020, (194) 1099. Of Daniel Daly, St. Lawrence Canal, (201) 1130, (211) 1178. Of John Gilchrist, by the Public Works, (263) 1548, (276) 1618. Motion to refer the Petition, negatived, on division, (288) 1669-1670.

-----Petitions referred to a Select Committee: Of Rev. J. O. Archambault, and others, (36) 272-281. On division, (36) 281-282. Of Michel Christin, Jr., (147) 808. Of George Robertson, and others; of Jacob Brown, and others, (147) 809. Of Robert Froste; of Daniel Daly, (221) 1246. Addition to Committee, (316) 1863. Report; Committed, (355) 2140.

CLAIMS FOR LOSSES DURING LATE REBELLION:--Petitions of Rev. J. Paquin ((or Paguin)), and others, of the parish of St. Eustache, for aid in building the Church and Convent, destroyed by the troops in 1837-1838, (3) 20, (8) 37. Of P. H. Morin, and others, of Sandwich, (4) 27, (12) 66. Of Very Rev. Angus MacDonell ((or Macdonell, or M'Donell)), (10) 60, (18) 154. Of Rev. Raphael Neyron, for burning the Church of St. Benoit, (33) 264, (48) 339. Of Loop Odell, and others, county of Huntingdon; of Jean Baptiste Richer, Sr., and others, for aid to rebuild the Church and other buildings in parish of St. Benoit, (39) 299, (52) 365. Of James Wilson, township of Murray, (176) 982, (188) 1051. Of Nicolas DeVoyan, of Bytown, (263) 1548, (276) 1618. Of Capt. John Longworth, (386) 2359, (403) 2440.



- Petitions referred:--Of Rev. Raphael Neyron, and of Jean Baptiste Richer, Sr., and others, (81) 486. Report, (235-236) 1328-1331. Of Rev. J. Paquin, and others, (88) 533. Report, (167-168) 905-906. Committed, (168) 906. Considered; Resolution reported, (206) 1148. Concurrence in the Resolution, postponed, on division, (206) 1148-1151.
- House resolves to go into Committee, to consider of giving effect to Act of Upper Canada, on payment of Claims by Rebellion and Invasion of Upper Canada, and applying Tavern Licenses for that purpose, (232) 1297-1298. Order for House in Committee postponed, (274-275) 1597. Considered, (297) 1746-1755, (299) 1766-1783. Resolution reported, (309) 1828. Amendments proposed, and negatived, on division, (309) 1828-1836. Resolution agreed to, on division, (309) 1837.
- Bill to provide for payment of Claims, arising out of the Rebellion and Invasion of Upper Canada, and to appropriate the duties of Tavern Licenses to local purposes, presented and read, (310) 1837. Read second time; Committed; Considered, (339) 2001. Reported, (344) 2024. Passed, (345) 2033-2034. By the Council, (355) 2140. Royal Assent, (441) 2573. (8 Vic., cap. 72.)
- Vide also Addresses, (45, 90.); Rebellion Losses.

CLAIMS FOR LOSSES DURING LATE WAR:--Petition of Heman Bangs, (31) 255, (42) 308. Of Simeon Washburn, (51) 363, (61) 412.

-----Vide also Crooks, Hon. James.

CLAIMS ON GOVERNMENT:--Bill to provide legal recourse for such Claims. Notice of Motion, 23. Bill presented and read, (9) 41. Read second time; Referred, (143) 793. Reported; Committed, (236) 1331. Considered; Reported, (280) 1632. Passed, (281) 1643. By the Council, (297) 1744. Reserved for Her Majesty's pleasure, (441) 2572.

CLARENCEVILLE:--Vide Academies.

CLAUSES:--Added to Bills as Ryders: Taxes on lands in Wellington District, (138) 774-775. Attachment to Salaries, (220-221) 1245. Registration, Upper Canada, (303) 1802-1803. Salmon preservation, Upper Canada, (384) 2316. Duties on Stills, (422) 2507-2508.

-----Vide also Questions Negatived, (21, 35, 51.)

CLERGY RESERVES:--Petition of Rev. Francis Evans, and others, to authorize the Bishop of Toronto to dispose of a certain reserve in the town of Simcoe, district of Talbot, (3) 20, (8) 38. Referred, (15) 113. Bill reported and read, (49) 344. Read second time, (75) 461-462. Committed, (75) 462. Considered (181) 1012. Reported, (181) 1012-1013. Passed, (188) 1050. By the Council, (211) 1180. Royal Assent, (242) 1391. (8 Vic., cap. 19.)

-----Petitions from the Diocese of Toronto, for vesting in the Church of England such proportion of the Clergy Reserve Lands, as shall correspond with her share of the funds arising from the same, and to autho-

rize the Church Society of the Diocese of Toronto to propose a system for the management thereof: Of Charles Monserrat ((or Monsarrat)), and others, (51) 363, (60-61) 412. Of the Church Society of Toronto, (52) 364, (61) 412. Of Rev. Alexander Williams, and others, (51) 363, (61) 413. Leave granted to George Macdonell to attach his name to said Petition, (61) 413. Of Rev. John M'Intyre, and others, (56) 387, (81) 486. Of Capt. David Boyd, and others, (93) 549-550, (100) 604. Of Rev. George B. Grant ((or George R. Grout)), and others, (93) 550, (100) 604. Of Thomas H. Maxwell, and others, (93) 550, (100) 604. Of Rev. R. J. Macgeorge, and others, (93) 551, (100) 604. Of Sir Allan Napier MacNab, and others, (93) 551, (100-101) 604. Of Church Missionary, and Indians of Six Nations; of Rev. William M'Murray, and others; of Rev. George Graham, and others, (93) 551, (101) 604. Of Hiram Smith, and others, (93) 552-553, (101) 604. Of Rev. Andrew Jamieson, and others; of John Maberly ((or Moberly)), and others; of Rev. F. G. Elliott ((or Elliot)), and others; of James Padfield, and others; of George Mortimer, and others, (93) 552, (101) 604. Of George Tennant, and others, (93) 552, (101) 604-605. Of Rev. J. Beek Lindsay, and others; of Rev. Job Deacon, and others; of Rev. Frederick A. O'Meara, and others; of John Tomlinson, and others; of George Johnstone, and others; of Rev. Henry Patton, and others, (93) 552, (101) 605. Of Rev. A. F. Atkinson, and others, (95) 564, (125) 711. Of E. Meyers, and others, (95) 564, (125) 711-712. Of Thomas W. Marsh, and others, (95) 564, (125) 712. Of Paul Shirly ((or Shirley)), and others; of Rev. George Mortimer, and others; of Rev. John Anderson, and others; of Charles C. Brough, and others, (99) 600, (132) 735. Of Mark Burnham, and others; of Rev. Robert J. C. Taylor, and others, (125) 711, (132) 735. Of James Lang ((or Laing)), and others; of Rev. Thomas S. Kennedy, and others; of John Thompson, and others, (131) 733, (145) 805. Of Rev. Thomas Creen, and others; of Rev. William Leeming, and others; of Henry C. Cooper, B. A., and others; of John Shepherd, and others; of Robert Owens, and others, (131) 734, (145) 805. Of Rev. Edward Derroche ((or Denroche)), and others, (137) 770, (166) 902. Of Rev. Robert Blakey, and others, (137) 770, (166) 902-903. Of John W. Kerr, and others; of Rev. T. B. Fuller, and others, (145) 804, (169) 949. Of Thomas R. Brock, and others; of S. S. Strong, and others, (176) 982, (189) 1051. Of John Johnstone, and others, (176) 983, (189) 1051. Of Rev. A. N. Bethune, and others; of Jonathan Shortt, and others, (182) 1019, (194) 1098. Of Thomas Fidler, and others, (183) 1019, (194) 1098. Of Rev. William Bettridge, B. D., and others; of Rev. George S. J. ((or S. J.)) Hill (of Perth), and others; of James Creage, and others; of Rev. S. B. Ardagh, M. A., and others, (193) 1095, (202) 1131. Of Rev. John Pentland, and others; of P. Wright, and others; of William Morse, and others; of Absalom Shade, and others; of James O. Bouchier ((or Bouchier)), and others; of Rev. George C. Street, and others; of Rev. George Petrie, and others, (216) 1208, (225) 1273. Of Rev. Abraham Nelles, and others, (216) 1208-1209, (225-226) 1273-1274. Of Rev. W. H. Hobson, and others, (216) 1209, (226) 1274. Of Right Rev.

Bishop of Toronto, and others, (216-217) 1209, (226) 1274. Of Rev. Frederick Mack, and others; of Rev. W. S. Darling, and others, (250) 1438, (256) 1497. Of Rev. Adam Townley (of Quebec), and others, (250) 1438, (256) 1497-1498. Of Rev. J. B. Fuller, and others, (250) 1438, (256) 1498. Of Rev. George S. J. Hill (of Chinguacousy), and others; of Rev. Alexander Sanson, and others, (311) 1846, (324) 1927-1928. Of Rev. George S. J. Hill (of Caledon), and others, (372) 2214, (378) 2294.

-----Petitions from the Diocese of Quebec, for vesting in the Church Society of said Diocese a share of the Clergy Reserves, corresponding with their proportion of the Income arising from the same: Of Church Society, Diocese of Quebec, (201) 1130, (210) 1177. Of Rev. William Anderson, and others, (220) 1244, (226) 1274. Of Rev. William Morris, and others, (234) 1323, (243) 1402. Of Rev. William Jones, and others; of Rev. William King, and others, (243) 1393, (252) 1473. Of Rev. C. B. Fleming, and others; of Rev. John Butler, and others; of Rev. George Pyke, and others; of J. Pangman, and others; of Rev. William Davies, and others, (255) 1496, (264) 1555. Of Rev. M. Willoughby, and others, (255) 1496, (264) 1555-1556. Of Rev. Thomas Johnson, and others, (259) 1522, (264) 1556. Of Rev. W. Brethour, and others, (263) 1547, (276) 1616. Of Rev. James Reid, and others; of Rev. E. G. W. Ross, and others; of Rev. W. Chaderton, and others; of Rev. R. R. Burrage, and others; of Rev. G. M. Ross, and others, (263) 1548, (276) 1616. Of Rev. George Slack, and others, (263) 1549, (276) 1616-1617. Of Joseph Braithwaite, and others, (273) 1594, (281) 1643-1644. Of Rev. Joseph Abbott, and others; of Rev. William Bond, and others, (273) 1594, (281) 1644. Of Rev. Samuel Wood, and others; of Rev. C. ((or E.)) Jackson, and others, (281) 1643, (292) 1689. Of William Dampier, and others; of Rev. A. T. Whitten, and others; of Rev. Charles Morris, and others, (292) 1687, (298) 1762. Of Rev. Richard Lonsdell, and others, (292) 1688, (298) 1762. Of Rev. John Johnston, and others, (295) 1716, (303) 1804. Of Rev. William Abbott, and others; of Rev. Richard Anderson, and others, (302) 1802, (313) 1852. Of E. Armstrong, and others; of Rev. William T. Leach, and others, (303) 1802, (313) 1852. Of Rev. R. ((or E.)) Whitwell, and others, (311) 1845, (323) 1926. Of Rev. R. H. Bourne, and others, (311) 1846, (323) 1926-1927. Of Rev. L. Doolittle, and others, (311) 1847, (323) 1927. Of Rev. William Bond, and others, (323) 1927. Of Rev. R. G. Plees, and others, (317) 1898, (327) 1945. Of Rev. John Bethune, and others; of Rev. Joseph Scott, and others, (323) 1925, (331) 1963. Of Rev. John Flanagan ((or Flanagan)), and others, (327) 1944-1945, (341) 2016. Of Rev. M. Townsend (of Quebec), and others, (330) 1961, (341) 2016-2017. Of Rev. William Arnold, and others, (345) 2033, (354) 2137. Of Rev. Charles C. Cotton, and others, (354) 2135, (367) 2196. Of Rev. George Milne, M. A., and others, (372) 2213, (377) 2292.

-----Petitions referred: (61) 414, (101) 605, (102) 609, (126) 713, (133) 739, 739-740, (138) 775, (146) 808, (146-147) 808, (147) 808, (177) 987, (178) 987-988, (183) 1023-1024, (190) 1055, (195) 1100,



- (202) 1132, (208) 1163, (244) 1402, (250) 1440, (264) 1557, 1558, (276) 1618. Report, (277-278) 1619-1622. To be printed, (306) 1812.
- Petitions against dividing the Clergy Reserves amongst the different religious denominations: Of John Martin, and others, Midland District, (288) 1668, (293) 1689. Of John A. Eakins, and others, London District, (303) 1802, (313) 1852. Of William Botham, and others, (402) 2439, (424) 2516.
- Petitions praying that the interests of persons occupying Clergy Reserves be not affected, but that said lands be sold according to Imperial Statute: Of John Wetenhall, and others, (166) 902, (177) 985. Of Thomas White (of Trafalgar), and others, (188) 1049, (195) 1099. Of John Lyon, and others, (193) 1096, (202) 1132. Of David Caldwell, and others, (193) 1095, (202) 1131. Of William H. Moore, and others; of Jacob Rombough ((or Rombaugh)), and others, (224) 1270, (234) 1324. Of John Black, and others, (224) 1270, (234) 1324-1325. Of Charles Colquhoun, and others, (242) 1392, (252) 1473. Of Dugald Munro, and others, (250) 1438, (256) 1497. Of John Henry, and others, (263) 1547, (276) 1617. Of Joseph Choat, and others; of Thomas G. Coyne, and others; of James Taunton, and others; of Asahel Barnes, and others, (273) 1594, (281) 1644. Of John Chapman, and others, (292) 1687, (298) 1763. Of George Easton, and others, (292) 1687, (298) 1763. Of Jeremiah Wilson, and others, (303) 1802, (313) 1852-1853. Of John Sills, and others, (317) 1898, (327) 1945. Of Thomas Morden, and others; of John Girdwood, (311) 1845, (323) 1926. Of J. H. Syder, and others; of William Armstrong, and others, (311) 1845, (323) 1927. Of Ebenezer C. Griffin, and others, (330) 1961, (342) 2017. Of A. C. Squire, and others, (341) 2015, (351) 2113. Of W. H. Allen, and others, (354) 2135, (367) 2196. Of John Scriver, and others, (388) 2384, (412) 2476.
- Petitions referred, (211) 1178, (250) 1440. Two Members added to the Committee, (274) 1595. Other Petitions referred, (288) 1669, (331) 1964-1965. Report, (427-428) 2524-2526. To be printed, (428) 2526.
- Vide also Lands, Public.

CLERK OF THE CROWN:--Vide Addresses, (47.)

CLERK OF THE CROWN IN CHANCERY:--Delivers the list of Members to serve in Provincial Parliament, to the Clerk, (1) 1.

- Certifies to Returns of Members: County of Saguenay, (175) 981. County of Simcoe, (182) 1018. County of Kent, (263) 1547. Town of London, (296) 1732. County of Lanark, (340) 2014.
- To transmit certain papers relating to contested Elections, (95) 556, (145) 803-804, (147) 809, (168) 906, (201) 1124.
- To issue New Writs: (48) 340, (87) 529, (99) 599, (185) 1024-1025.
- Delivers at the Bar, statement respecting the Elections for certain places, by order of the House, (216) 1207-1208. Motion to correct a clerical error in Writ; Withdrawn Motion, 1308. Statement corrected, (236) 1331.



- Alters Return of Third Riding of County of York, (359) 2159-2161.
- Petition of Felix Fortier, Clerk of the Crown in Chancery, for increase of Salary, (33) 263, (46) 335.

CLERK OF THE HOUSE:--To prepare Statement of Officers and Clerks of the House, Salaries, &c., (293-294) 1691-1692. Presented, (324) 1929-1930. Vide Officers And Clerks Of The House.

- Vide also Addresses, (49, 92, 117.)

CLOUTIER, ABRAHAM:--Petition of, for arrears of Salary as Messenger in the Crown Lands Office, (9) 50, (15) 111.

COBOURG HARBOUR:--Vide Addresses, (83.)

COBOURG TOWN:--Petition of President and Board of Police, for amendments to the Act incorporating said Town, (14) 110, (24) 222. Referred, (88) 532-533. Petition of Asa A. Burnham, and others, that their property in said Town be not affected, (93) 549, (100) 602. Referred, (101-102) 608.

- Bill to amend the Act incorporating said Town, presented and read, (364) 2175.

COLLEGES:--Petition of Right Rev. Patrick Phelan, and Very Rev. Angus MacDonell ((or Macdonell)), to enable the College of Regiopolis to hold certain Estate, (14) 110, (23) 221. Referred, (27) 231. Bill reported and read, (231) 1295. Read second time; Referred to Committee on Private Bills, (280) 1631. Reported, (325) 1932. Committed, (325) 1933. Considered, (424) 2511. Reported, (424) 2511-2512. Passed, (424) 2512. By the Council, (436) 2555. Royal Assent, (439) 2567. (8 Vic., cap. 79.)

- Petition of Corporation of College of L'Assomption, for aid to said College, (17) 152, (27) 230. Petition of Right Rev. Patrick Phelan, and Very Rev. Angus MacDonell ((or Macdonell)), for aid to complete the College of Regiopolis, (22) 218, (34) 267. Petition of Faculty of Medicine of McGill College, for aid to Medical School therein, (30) 254, (41) 304. Petition of Rev. Pierre M. Mignault, for aid in support of College of Chambly, (32) 262, (46) 334. Referred, (94) 555. Petition of Eusèbe Cartier, and others, for aid to College of St. Hyacinthe, (33) 263, (46) 335. Petition of Municipal Council St. Hyacinthe, the same, (33) 264, (47) 336, (56) 387, (81) 486. Petition of Rev. Charles J. Ducharme, for an Act of Incorporation, and for aid to the College of Ste. Thérèse, (two Petitions,) (33) 264, (48) 339. One Petition referred, (81) 486-487. Reported, (105) 620.

- Bill to incorporate Le Petit Seminaire de Ste. Thérèse de Blainville, presented and read, (134) 743. Read second time; Referred to Committee on Private Bills, (187) 1037. Reported, (213) 1186-1187. Committed, (213) 1187. Considered; Reported, (229) 1283. Passed, (231) 1294. By the Council, (253) 1476. Royal Assent, (370) 2204. (8 Vic., cap. 100.)

-----Vide also Academies; Universities.

COMMERCE:--Committee appointed to enquire into the nature of restrictions existing on the Commerce of Canada, by the River St. Lawrence, (135) 744. Accounts of Corporation of Trinity House, Quebec, also referred, (404) 2446.

COMMISSIONER'S COURTS:--Vide Administration Of Justice; Advocates.

COMMITTEES, STANDING:--A Select Committee to prepare lists of Members to form Standing Committees on various matters, and to report from time to time. Notice of Motion, 57. Motion, (15) 113-114. Amendment proposed, (15) 114-116. Lost, on division; Committee appointed, (16) 116. Report, (38) 286-287. Vide Bills, Private; Contingencies; Expiring Laws; Printing; Privileges And Elections; Standing Orders.

-----Appointed to assist Mr. Speaker in the direction of the Library, to which all matters relating thereto be referred, (96) 566. Vide Library.

COMMUTATION OF TENURE:--Vide Feudal Tenure.

COMMUTED PENSIONERS:--Petition of Andrew Tod, for extension of time for Commuted Pensioners to claim grants of land, (137) 770, (166) 903.

-----Petition of William B. Jarvis, for restoration of the pensions to Commuted Pensioners, (311) 1845, (323) 1925.

CONFERENCE:--Vide Militia.

CONFISCATED ESTATES:--Vide Montgomery's Estate.

CONTINGENCIES:--Vide Addresses, (49, 92, 115, 117.)

-----Postage on all letters not exceeding one ounce in weight, and on all printed papers, to and from Members, and Petitions enclosed, to be charged to the Contingencies of the House, (3) 17-19.

-----Standing Committee appointed, (38) 287. Subjects referred:

Petitions of Julia Bell, (48) 340. Of Guillaume D'Eschambault, (48) 343. Of George K. Chisholm, (56) 387. Of Alexander Macdonald, (57) 388. Of Robert Defries, (96) 566. Of Alfred Patrick, (170) 950.

Letter of Joseph Legaré, on Portrait of the Queen, (251) 1440. Petition of John Healey, (264) 1557. Of Thomas Proudlock, (265) 1561.

Of Thomas Vaux, on division, (293) 1689-1690. Of P. P. Demaray, (324) 1929. Of Gabriel Marchand, (331) 1964. Report of Committee on Petition of Charles Juneau DeMontreuil, (342) 2019. Committee to sit during adjournment of the House, (92) 545. Instruction to Committee to enquire and report on indemnity to be allowed to officers of the House, on removal of the Seat of Government, (416) 2487.

-----FIRST REPORT: (For an Advance of £4,000), (57) 388-389. Committed, (57) 389. Considered, (75) 462. Resolution reported and agreed to,

(85) 520. Vide Addresses, (49.) SECOND REPORT: (Account Current of the Clerk, from 28 September 1843, to 16 December 1844), (195) 1102. THIRD REPORT: (On Outstanding Accounts; on Petitions of Alfred Patrick; Serjeant-at-Arms; Robert Defries; Julia Bell; Alexander Macdonald; Guillaume D'Eschambault), (256-257) 1499-1500. Report committed, (257) 1500. Considered, (287) 1662-1663. Resolutions reported and agreed to, (295) 1697-1698. FOURTH REPORT: (For an Advance of £5,000), (328) 1948. Committed; Considered, (339) 1998. Resolution reported and agreed to, (339) 1998. Vide Addresses, (92.) FIFTH REPORT: (Including Estimate for Contingencies for present year), (424-426) 2516-2520. Committed, (426) 2520-2521. Considered, (426) 2521. Resolutions reported and agreed to, (426-427) 2521-2522. Vide Addresses, (117.)

CONVEYANCING:--Bill to remove difficulties respecting the Conveyance of Lands in Upper Canada, where the grantor may not have possession or a third party be in adverse possession, presented and read, (55) 377. Read second time; Committed, (136) 748. Considered, (136) 748-749. Again considered, (187) 1040-1041, (206) 1146-1147. Further consideration discharged; Bill referred, (206) 1148.

-----Petition of Henry W. Sache, and others, for Act to prevent unqualified persons practising as Conveyancers, (303) 1802, (313) 1852.

COPY RIGHTS:--Despatch in Answer to Address of last Session to Her Majesty, on the subject of the Imperial Act relating thereto, (65) 424-425.

CORNWALL CANAL:--Vide Claims For Damages By Public Works.

CORNWALL TOWN:--Vide Addresses, (26.)

CORPORATIONS:--Vide Real Estate.

COTEAU DU LAC:--Notice of Question of Government concerning office of Collector at, 56.

-----Vide also Navigation.

COTTON FACTORIES:--Vide Manufactures.

COUNTIES:--Vide Limits And Divisions.

COURT OF CHANCERY:--Question regarding amendment or repeal of Act establishing Court of Chancery; Answer, 243.

-----Bill to authorize the Appointment of a Reporter in Court of Chancery, presented and read, (128) 720. Read second time, on division, (182) 1014-1015. Committed, (182) 1015. Considered; Reported, (187) 1038. Passed, (194) 1097. By the Council, (369) 2203. Royal Assent, (439) 2567. (8 Vic., cap. 39.)

-----House resolves to go into Committee to consider of repealing the Laws relating to the Court of Chancery, on division, (279) 1625-1626.

Considered, (279) 1626-1627.

-----Report of Commissioners on Practice and Proceedings of Court of Chancery in Upper Canada, (319) 1902. To be printed; Referred, (319) 1903. Vide Administration Of Justice.

-----Vide also Addresses, (32.); Governor General, Message From His Excellency, (24.)

COURTS:--Vide Administration Of Justice; Court Of Chancery; Commissioner's Courts.

CROOKS, HON. JAMES:--Petition of, for indemnity for loss of a vessel, during the late War with the United States, (259) 1522, (264) 1557. Referred, (289) 1671. Report, (380-381) 2301-2304. Vide Addresses, (8.)

CROWN LANDS:--Notice of Motion for a Select Committee to enquire into operation of Crown Lands Department, 1290. Motion, 1308-1316. Withdrawn Motion, 1317.

CROWN TIMBER:--Vide Addresses, (13.)

CULLERS OF TIMBER:--Vide Lumber.

CUSTOM HOUSE BONDS:--Vide Addresses, (101.)

CUSTOMS:--Vide Duties.

D

DEBATES:--On choice of Speaker, (1) 2-8. On amendment in Answer to Speech, (13) 85-103, (16-17) 117-146, (19-20) 156-205. On Motion to discharge Order of Day to consider Montreal Election, (169) 910-937. On amendment to a Resolution for an Address of Congratulation to His Excellency, (296) 1717-1732, 1733-1741. On Petition of Council of King's College, (346) 2037-2054. On Motion for granting of Supply, (385) 2323-2325, 2326-2350. On amendment to a Resolution on Supply, (399) 2422, 2422-2426.

DEBENTURES:--Schedule of Government Debentures to 3 December 1844, of Upper Canada, and of Bills of Exchange on loan of £1,500,000, laid before the House, (50) 348.

DEFRIES, ROBERT:--Petition of, for a fixed Salary as Post Office Messenger to Legislative Assembly, (80) 484, (94) 552. Referred to Committee on Contingencies, (96) 566. Resolution reported, (257) 1500. Agreed to, (295) 1697.

DEGUISE, PIERRE:--Petition of, for payment of Salary, voted by Municipal Council, district of St. Thomas, (9) 50, (15) 111.



DEMARAY, P. P.:--Petition of, for payment of expenses, as Clerk in Contested Election of Missisquoi, in 1831, (311) 1846, (324) 1928. Referred to Committee on Contingencies, (324) 1929. Report, (424-425) 2517. Resolution, (426) 2521.

DEMONTEUIL, CHARLES JUNEAU:--Petition of, that certain Moneys due Miss Schindler, as Keeper of House of Assembly of Lower Canada, be paid to him, (99) 600, (132) 736. Referred, (138) 776. Report; Report referred to Committee on Contingencies, (342) 2019. Report, (425) 2518. Resolution, (426) 2522.

D'ESCHAMBAULT, GUILLAUME:--Petition of, for compensation for services at Election of O. Berthelot, in 1838, (30) 254, (40) 302. Referred to Committee on Contingencies, (48) 343. Report, (257) 1500. Resolution, (295) 1697-1698.

DESPATCHES:--In Answer to Addresses to Her Majesty and Prince Albert on birth of Princess Alice, (64) 422-423.

-----Vide also Addresses, (2, 3, 50,); Copy Rights; Legislative Assembly; Legislative Council; Navigation; Niagara Town; Post Office Department; Seat Of Government; Secret Societies; Universities.

DISTILLERIES:--Vide Duties.

DISTRIBUTION OF THE LAWS:--Vide Laws.

DISTRICT COUNCILS:--Petition of James Breakenridge, that District Councils be abolished, (169) 948, (177) 986.

DISTRICT COURTS:--Vide Administration Of Justice.

DISTRICT OFFICERS:--Bill to regulate the Fees of District Officers in Upper Canada, presented and read, (133) 740. Second reading discharged; Bill withdrawn, (215) 1191.

-----House resolves to go into Committee to consider of establishing Fees for payment of Sheriffs, Clerks of the Peace, and other District Officers in Upper Canada, (221) 1248. Considered, (221-222) 1248-1251. Resolution reported and agreed to, (228) 1280. Bill presented and read, (228) 1281. Read second time; Referred, (238) 1353. Reported; Committed, (289) 1672. Considered, (345) 2030, (352) 2118-2119. Reported, (357) 2145. Amended; Passed, (366) 2193. By the Council, (432) 2542. Royal Assent, (440) 2568. (8 Vic., cap. 38.)

DISTRICT TREASURERS:--Bill to prevent abuses by certain persons appointed as District Treasurers. Notice of Motion, 23. Bill presented and read, (16) 117. Order for second reading, (39) 292. Vide Questions Negatived, (4.) Read second time; Committed; Considered; No Report, (136) 747.

-----Bill to prevent District Treasurers in Upper Canada, from making other payments than in current money, presented and read, (185) 1031. Read second time; Committed; Considered, (207) 1155-1156. Reported, (208) 1165. Passed, (210) 1175.

DIVISION COURT ACT:--Notice of Question regarding Administration's intention to introduce Bill to extend jurisdiction of Division Courts, 57. Question; Answer, 243.

-----Petition of Bayes M. Eddy, and others, for repeal of said Act, (216) 1208, (225) 1273.

DIVISIONS:--Vide Legislative Assembly.

DIVORCE:--Petition of Flora Thompson ((or Thomson)), of St. Clément de Beauharnois, wife of Joseph Toll, for a Bill of Divorce, (22) 217, (33) 265.

-----Petition of Capt. Henry William Harris, in 24th Regiment of Foot, for Bill of Divorce, (30) 254, (41) 304.

-----Bill to dissolve the Marriage of Capt. Henry William Harris with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, brought from the Council, (300) 1783. Read, (300) 1784. Order for second reading; Evidence on the Bill requested from the Council, (317) 1864. Evidence communicated, (328) 1948. Bill read second time, (329) 1954-1957. Vide Questions Negatived, (42.) Referred, Evidence from the Council also referred, (329) 1957. Committee to hear Counsel for and against the Bill, (330) 1957. Bill reported, (355) 2141-2142. On Motion to read the Bill the third time, it was moved to be read in six months, (367) 2193-2194. Negatived, on division, (367) 2194. Read third time, on division, (367) 2194-2195. Passed, on division, (367) 2195. Reserved for Her Majesty's pleasure, (441) 2571.

-----Petition of Capt. Henry William Harris, that certain services be deemed good service, (341) 2015, (342) 2020. Evidence thereon heard at the Bar, (342-343) 2020-2021. Such services approved as good service, (343) 2021.

DOG TAX:--Vide Municipal District Of Niagara.

-----Bill to impose a Tax on Dogs, and regulate Temperance Houses, by District Councils in Upper Canada. Notice of Motion, 588. Bill presented and read, (178) 990. Read second time; Committed, (207) 1154. Considered, (207) 1154-1155, (215) 1196-1198. Consideration discharged, (218) 1213. Bill referred, with an Instruction to strike out that part of the Bill that relates to Temperance Houses, on division, (218) 1213-1214. Bill reported, (227) 1277-1278. Committed, (227) 1278. Considered, (240) 1378. Vide Questions Negatived, (26.) Reported, (250) 1422. Passed, (251) 1472. By the Council amended, (297) 1744. Amendments considered, and amended, (325) 1932-1933. Amendment to amendments of the Council passed, (327) 1945. Agreed to by the Council, (352) 2119. Royal Assent, (440) 2569. (8 Vic., cap. 57.)

DORCHESTER BRIDGE:--Vide River St. Charles.

DOWER:--Bill to regulate the Law of Dower in Upper Canada. Notice of Motion, 242.

-----Vide also Questions Negatived, (30.)

DUMOULIN, P. B.:--Petition of, for payment of rent for a building occupied by Commissioners of House of Correction for town of Three Rivers, (350) 2112, (360) 2164.

DUNCAN, WILLIAM:--Petition of, for power to collect balance due him for building a bridge across the River Delisle, (188) 1049, (194) 1099.

DUNDAS TOWN:--Petition of John Paterson, and others, for incorporation of said Town, (137) 770, (166) 902. Petitions of William Binkley, Edward Lyons, and of George Rolph, that the limits of Dundas be not extended, in the event of its being incorporated, (176) 982, (188) 1051. Petitions referred to Committee on Private Bills, (226) 1275. Report, (238) 1359.

DUNHAM ACADEMY:--Vide Academies.

DUNLOP, DR. WILLIAM:--Apology to Legislative Councillors, 1493.

DUTIES:--Petitions for protecting Duty on Cattle and on Produce imported into this Province, &c.: Of J. B. Allard, and others, (4) 26, (10) 60. Of Rev. C. J. Primeaux, and others, (17) 152, (24) 223. Of Pierre Allard, and others, (33) 263, (46) 335. Of Patrick Buchanan, and others, (44) 328, (53) 367. Of Quebec Board of Trade, (52) 364, (61) 412-413. Of Municipal Council, Western District, (93) 550, (100) 603. Of J. M'Donald, and others, (95) 565, (125) 712. Of Charles Hales, and others, (131) 734, (146) 807. Of Ralph Foster, and others, (166) 901, (176) 985.

-----Notice of Question regarding Duty on Tobacco, ((93)) 550-551. Question; Answer, 796.

-----Petitions for protecting Duty on Lumber, &c.: Of Archibald M'Bean, and others, (44) 329, (53) 369. Of John Kilborn, and others, (99) 600, (132) 736. Of J. H. Dorwin, and others, (137) 770, (167) 903. Of James Breakenridge, (169) 948, (177) 986. Of Charles Willard, and others, (169) 948, (177) 986. Of Baxter Bowman, and others, (234) 1323, (244) 1402. Referred, (250) 1438-1439. Infra. Of J. Brazeau, and others, (243) 1392, (252) 1473.

-----Petitions for protecting Duty on Leather, &c.: Of John Frothingham, and others, (17) 152, (27) 230. Of John Russell, and others, (22) 217, (33) 265. Of Thomas White (of Montreal), and others, (33) 263, (46) 335. Of Alexander Smith, and others, (44) 329, (53) 368. Of James Foster, and others, (52) 364, (61) 412. Of Patrick Trim, and others, (52) 364, (61) 413. Of Edward Lemieux, and others, (93) 550,



- (100) 602. Of William Connor ((or Conner)), and others, (131) 733, (146) 806. Of William Wilson, and others, (145) 805, (170) 950. Of James Porter, and others, (166) 902, (177) 985. Of George Rowe, and others; of John Bacon, and others, (176) 982, (189) 1052. Of R. P. Coltair, and others, (176) 982-983, (189) 1052. Of James Brookes ((or Brooks)), and others, (183) 1020, (194) 1099. Of Thomas Eyre, and others, (201) 1130, (210) 1177. Of Isaac Buchanan, and others, (251) 1472, (259) 1522-1523. Of Messrs. Miller and Brothers, and others, (255) 1496, (264) 1556. Of Richard Jemmings, and others, (311) 1845, (323) 1925-1926. Of Robert Benjamin, and others, (354) 2135, (367) 2196. Of Henry Smith, Jr., and others, (354) 2136, (367) 2196.
- Petitions for protecting Duty on Soap and Candles, &c.: Of Messrs. Freeland and Taylor, and others, (92) 549, (99) 601. Of John Mathewson, and others, (166) 902, (177) 985.
- Question concerning Government's policy on Customs and Revenue Bills; Answer, 546.
- Bill to impose Duties on Agricultural Imports imported from the United States. Notice of Motion, 23. Motion, 245-249. Withdrawn Motion, 249.
- Bill to continue the Act for imposing Duties on Agricultural Produce and Live Stock imported into this Province, presented and read, (32) 258. Second reading; To be engrossed, (39) 293. Passed, (40) 301-302. By the Council, (54) 369. Royal Assent, (87) 529. (8 Vic., cap. 1.)
- Notice of Motion for House to go into Committee of the whole concerning the issue of Still Licences, 316. House resolves to go into said Committee, (51) 356. Considered; Resolution reported and agreed to, (51) 357. Bill to amend the Laws imposing a Duty upon Distilleries, presented and read, (51) 357. Read second time; Committed; Considered; Reported, (59) 399. Passed, (60) 411. By the Council, (80) 483. Royal Assent, (87) 529. (8 Vic., cap. 2.)
- House resolves to go into Committee to consider of repealing the Acts, on the management of Customs, and Duties of Customs, (92) 544. Considered, (128) 722-723. Resolution reported and agreed to, (128) 723. Bill presented and read, (128-129) 723. Read second time, (186) 1032-1033. Committed, (186) 1033. Order for Committal discharged; Bill referred, (199-200) 1120. *Infra.*
- Bill for management of the Customs, presented and read, (129) 723. Read second time; Committed, (186) 1033. Order for committal discharged; Bill referred, (200) 1120. *Infra.* Reported; Committed, (239) 1360. Considered, (255) 1488-1489. Reported, (258) 1504. Passed, (259) 1522. By the Council, with amendments, (295) 1697. Amendments considered and agreed to, (305) 1808-1809. Royal Assent, (370) 2205. (8 Vic., cap. 4.)
- Bill to impose duty on persons selling Spirituous or fermented Liquors, or keeping houses of Public Entertainment, presented and read, (129) 723-724. Read second time; Committed, (186) 1032-1033. Order for Committal discharged; Bill referred, (200) 1120. *Infra.*
- Bill to impose duty on Hawkers and Petty Chapmen, and Billiard



Tables, presented and read, (129) 724. Read second time; Committed, (186) 1033. Order for Committal discharged; Bill referred, (200) 1120-1121.

-----Bill to impose duty on Auctioneers, and on Sales at Auction, presented and read, (129) 724. Read second time; Committed, (186) 1033. Order for Committal discharged; Bill referred, (200) 1121. *Infra.*

-----Bill to impose duty on Bank Notes, issued and in circulation in this Province, (129) 724. Read second time, (186) 1033-1034. Committed, (186) 1034. Order for Committal discharged; Bill referred, (200) 1121. *Infra.*

-----Bill to impose duty on Distillers and Brewers, presented and read, (171) 953-954. Read second time; Referred, (199) 1115-1119. Subjects referred to same Committee: Bill to repeal Acts on management and regulation of Customs, (199-200) 1120. Bill to provide for management of Customs; Bill to impose duty on persons selling Spirituous or Fermented Liquors, (200) 1120. Bill to impose duty on Hawkers, and Petty Chapmen, (200) 1120-1121. Bill to impose duty on Auctioneers, and on Sales at Auction; Bill to impose duty on Bank Notes, (200) 1121. Petition of Adam Handyside, (202) 1133. Petition of Montreal Board of Trade, (221) 1246. Petitions of Orange Schryer, and Richard Graham, and others, (231) 1294. Petition of James Calcutt, (235) 1326. Committee report Bill on management of Customs, *Supra.* The several Petitions in reference to duties of Customs, referred to same Committee of whole, (244) 1402-1403.

-----Petitions on the subject of the above Bills: Of Adam Handyside, (193) 1095, (202) 1131. Of John Steele ((or Steel)), and others, (263) 1547, (276) 1617. Of Messrs. Thomas Hellewell, & Brothers, and others, (263) 1548, (276) 1617. Of Montreal Board of Trade, (207) 1162, (217) 1209. Of James Calcutt, (231) 1293, (235) 1326. Of George P. Ridout, and others, (250) 1438, (256) 1497. Of F. Baby, and others, (292) 1687, (298) 1762. Of Christopher Crabb, (295) 1716, (303) 1804. Of James Livingstone ((or Levingstone)), and others; of James Morton, and others, (298) 1761, (307) 1818. Of William C. Chase, and others, (311) 1846, (323) 1927. Of Municipal Council, Western District, (323) 1925, (331) 1964. Referred, (202) 1133, (221) 1246, (235) 1326. *Supra.*

-----House resolves to go into Committee, to consider of repealing certain Acts, granting duties on Customs, and enacting others in lieu thereof, (240) 1374. Considered, (255) 1489. Bill reported and read, (258) 1504. Second reading discharged, (275) 1599-1611. Bill withdrawn, (279) 1627-1629.

-----House resolves to go into Committee, to consider of repealing a certain Act, imposing duties on Customs, and for other purposes connected with the Revenue. Notice of Motion, 1387. Motion, (279) 1629. Considered, (291) 1682-1683, (317) 1865-1893. Resolutions reported, (319-321) 1906-1914. Resolution concurred in, (322) 1919. Vide Questions Negatived, (39.) Referred, (322) 1920. Bill to grant Provincial duties of Customs reported and read, (325) 1931. Read

second time; Committed, (339) 2000-2001. Considered, (353) 2122-2129. Reported, (357) 2145. Passed, (360) 2163. By the Council, (369) 2203. Royal Assent, (370) 2206. (8 Vic., cap. 3.)

-----Petition of Leonard Pine, for expunging the 24th clause, (328) 1946.

-----House resolves to go into Committee, to consider of repealing an Act of the present Session, relative to duties on Stills, and to make further provision therefor; Considered, (404) 2445. Resolution reported, (416-417) 2488. Infra.

-----Bill to repeal an Act of the present Session, relative to duties on Stills, and make further provisions therefor, presented, read twice; Committed, (417) 2488. Considered, (417) 2488-2489. Reported, (419) 2494-2495. Read third time, (422) 2507. Ryder added, (422) 2507-2508. Bill passed, (422) 2508. By the Council, (436) 2555. Royal Assent, (442) 2574. (8 Vic., cap. 29.)

-----Vide also Addresses, (4, 112.); Tobacco.

## E

EDUCATION AND SCHOOLS:--Petitions for amendments, &c. to Common School Act: Of Municipal Council, Home District, (3) 19, (6) 30. Of Municipal Council, Johnstown District, (3) 20, (8) 37. Printed, (10) 55. Of Municipal Council, Gore District, (22) 218, (34) 266-267. Of Municipal Council, Sherbrooke District, (39) 299, (52) 365. Of M. T. O'Beirne, and others, Toronto, (56) 387, (81) 486. Of Thomas Syer, and others, Cavan, (93) 549, (100) 602. Of Right Rev. Bishop of Toronto, and others, (99) 599-600, (131) 735. Of Donald M'Intosh, and others, county of Vaudreuil, (131) 733, (146) 806. Of Joel Smith, and others, Grimsby, (131) 734, (146) 807. Of Rev. T. B. Fuller, and others, Thorold, (145) 804, (170) 949. Of James Breakenridge, (169) 948, (177) 986. Of William Barrett, and others, (176) 982, (188) 1051. Of Michael Mitchell, and others, Shefford, (188) 1049, (194) 1099. Of Rev. William Bettridge, B. D., and others, Woodstock, (193) 1095, (202) 1131. Of Rev. Edward Derroche ((or Denroche)), and others, (216) 1208, (225) 1272. Of William Ketcheson, Jr., and others, (216) 1208, (225) 1273. Of Municipal Council, Simcoe District, (216) 1208, (225) 1273. Of R. Heney, and others, (220) 1244, (226) 1272. Of Rev. Job Deacon, and others, Midland District, (231) 1293, (235) 1326. Of Rev. J. Wilson, and others, Colborne; of Rev. George W. Warr, and others, Trafalgar, (234) 1323, (243-244) 1402. Of A. Jones, and others, Augusta, (259) 1522, (264) 1556-1557. Of Miles O'Reilly, and others, Hamilton, (263) 1547, (276) 1617. Of Fleetwood Cubitt, and others, Canada West; of Municipal Council, Victoria District, (292) 1687, (298) 1762. Of John Charters, and others, Beauharnois, (297) 1761, (307) 1818. Of Municipal Council, Niagara District, (317) 1898, (328) 1946. Of Edward G. O'Brien, and others, Adelaide; of Joseph Seabrook, and others, Carradoc, (311) 1845, (323) 1925. Of John W. Kerr, and others, Bayhem, (311) 1847, (323) 1925. John Girdwood, Barnston Corner, (311) 1845, (323)

1926. Of Municipal Council, Gore District, (311) 1846, (324) 1928. Of W. Simpson, and others, Penetanguishine, (341) 2015, (351) 2113. Of Smithson Waller, and others, (350) 2112, (360) 2164. Of Robert Hobson, and others, Thorold, (354) 2136, (367) 2196. Of John Steele, and William Kingston, Newcastle District, (366) 2192, (375) 2277. Of Rev. Adam Townley, and others, (372) 2213, (377) 2292.

-----Petitions referred: Of Joel Smith, and others, (177-178) 987. Of Right Rev. Bishop of Toronto, and others, (203) 1133. Of Thomas Syer, and others, (207) 1162. Of M. T. O'Beirne, and others, (217) 1210. Of Rev. Job Deacon, and others; of Rev. George W. Warr, and others; of Rev. J. Wilson, and others, (250) 1439. Of Fleetwood Cubitt, and others, (304) 1805. Of Municipal Council, Victoria District, (313) 1854. Of Municipal Council, Niagara District; of Robert Hobson, and others, (386) 2360. Petition of A. Jones, and others, referred, (264) 1557. Other Petitions referred. Infra.

-----Petitions for aid to Schools and School Houses: Of Rev. Paul Archambault, and others, parish of St. Michel de Vaudreuil, (9) 51, (15) 112. Of Hon. D. Mondelet, and others, Three Rivers, (30) 254, (41) 304. Of Rev. François Labelle, and others, L'Assomption, (32) 262, (46) 333. Of Albert Knight, and others, (32) 262, (46) 334. Of Rev. Andrew Balfour; of Hervey Lawrence ((or Laurence)), and others, (39) 299, (52) 365. Of Ministers, and others, St. Andrew's, Quebec, (40) 300, (53) 367. Of Rev. Mark Willoughby, (44) 329, (53) 368. Of James Miller, and others, Sarnia, (56) 387, (81) 485. Of Edward Carter Allen, Richelieu, (99) 599, (132) 735. Of Robert Scott, and others, Montreal, (145) 804-805, (170) 949-950. Of Rev. Lewis ((or Louis)) D. Charland, and others, parish of Rigaud, (210) 1175, (221) 1245. Of Rev. F. P. Porlier, and others, Terrebonne, (243) 1392, (252) 1473. Of Rev. A. O. Giroux, L'Isle Perrot, (243) 1393, (252) 1474. Of James Reid, and others, Hinchinbrooke, (327) 1945, (341) 2017.

-----Petitions referred: Of James Miller, and others, Sarnia, (88) 533.

-----Question concerning Government's policy about Lower Canada School Act; Answer, 546.

-----Bill to repeal the Act establishing Free Schools in Lower Canada. Notice of Motion, 44.

-----Bill to repeal part of School Act in Canada East. Notice of Motion, 147.

-----Bill to make better provision for Elementary Instruction in Lower Canada, presented and read, (222) 1253. Second reading discharged; Bill withdrawn, (239) 1361-1373.

-----House resolves to go into Committee to impose a Tax or Rate to provide for Elementary Instruction in Lower Canada, (239) 1373. Considered, (262) 1539. Resolution reported and agreed to, (272) 1585.

-----Bill to make better provision for Elementary Instruction in Lower Canada, presented and read, (272) 1585. Read second time, (291) 1680-1681. Referred, (291) 1681. Petitions also referred: Of Donald

M<sup>l</sup>Intosh, and others, (293) 1689. Of William Barrett, and others; of John Charters, and others; of Rev. Louis Théophile Fortier, and others, (313) 1853. Of Robert Ross, and others, (324) 1929. Reported; Committed, (351) 2114. Considered, (366) 2182-2187, (382) 2307-2308, (382-383) 2308-2312, (400) 2429. Reported, (408) 2457. Passed, (413) 2476-2477. By the Council amended, (438) 2561. Amendments agreed to, (439) 2564-2565. Royal Assent, (441) 2574. (8 Vic., cap. 41.) Petitions against the Bill: Of Rev. Louis Théophile Fortier, and others, (303) 1802, (313) 1853. Of Robert Ross, and others, (311) 1845, (323) 1926. Petitions referred, (313) 1853, (324) 1929. *Supra*.

-----Notice of Question regarding Government's intention to introduce Bill to appropriate land for the support of Grammar Schools, 57. Question; Answer, 243.

-----Bill to dispose of certain territorial rights, in order to form a permanent fund for the support of Common Schools and Libraries in Upper Canada. Notice of Motion, 561.

-----House resolves to go into Committee, to consider of empowering District Councils in Upper Canada to provide for erection, &c., of Common School Houses therein, (352) 2116. Considered, (352) 2116-2117. Vide Questions Negatived, (45.) Resolution reported and agreed to, (356) 2144. Bill presented and read, (357) 2144. Order for second reading negatived, on division, (423) 2510-2511.

-----Annual Report of Superintendent of Education for Lower Canada, laid before the House, (275) 1611. To be printed, (294) 1696.

-----Vide also Academies; Addresses, (23, 36, 53, 57, 61, 77, 88.); Bishop, James; Colleges; Fleming, Mrs. Ann Cuthbert; Quebec High School; Questions Negatived, (45, 67.); Royal Institution; Ryerson, Rev. Egerton; St. Antoine De Longueuil.

EDWARDSBURG TOWNSHIP:--Vide Surveying.

EKFRID AND ADELAIDE TOWNSHIPS:--Petition of Richard W. Branan, and others, that the North-Western parts of said Townships be set apart as a separate township, (51) 363, (60) 412. Vide Limits And Divisions.

ELECTIONS:--Vide Addresses, (35, 65.)

-----Bill to regulate Elections in Lower Canada. Notice of Motion, 316. Presented and read, (95) 556-557. Second reading in six months, on division, (237-238) 1338-1352.

-----Bill to increase the number of Wards in the city of Montreal. Notice of Motion, 316.

-----Petition of Moderator and Presbytery of Montreal, for Act to indemnify Ministers of the Gospel who voted at last Election, (9) 51, (15) 112. Of Rev. John Merlin, V. D. M., Hemmingford, (14) 110, (23) 221-222. Of Rev. C. ((or E.)) Jackson, and others, Quebec, the same, (30) 254, (41) 304. Petitions referred, (27) 231. Bill reported and read, (82) 489. Read second time; Committed, (148) 825. Considered, (148) 825-826, (192) 1072-1075. Reported, (192) 1075. Passed, (194) 1097.



- By the Council, (211) 1180. Royal Assent, (242) 1391. (8 Vic., cap. 9.)
- Bill to enable Clergymen to vote at Elections. Notice of Question concerning Government's intention to present, 56.
- Bill to repeal Act preventing Clergymen from voting at Election of Members of Legislative Assembly, presented and read, (168) 908. Second reading discharged, (205) 1143-1144.
- Bill to repeal part of the Act, preventing Clergymen from voting at Elections of Members of the Legislative Assembly, presented and read, (208) 1164. Read second time; Committed, (224) 1258. Considered, (224) 1258-1263. Reported, (224) 1263. Passed, (225) 1270-1272. Vide Questions Negatived, (21.) By the Council, (239) 1374. Royal Assent, (370) 2205. (8 Vic., cap. 10.)
- Bill to remove doubts on voting at County Elections in Upper Canada, upon property in cities or towns, presented and read, (222) 1252-1253. Read second time, (241) 1382. Engrossed, (241) 1383. Vide Questions Negatived, (27.) To be read in five months, on division, (243) 1394-1401.
- Bill to provide for regulation of persons entitled to vote at Elections of Members of Legislative Assembly in Upper Canada, presented and read, (232) 1296-1297. Second reading, on division, (253) 1478-1484. Referred, with an Instruction to inquire whether the Bill should be applied to Upper Canada generally, or to the cities and towns alone, on division, (254) 1484-1487. Petition of Robert Layfield, and others, that the county of Megantic be included in the Bill, (383) 2315, (386) 2359.
- Statements respecting the Elections of certain counties ordered, (208) 1163-1164. Vide Clerk Of The Crown In Chancery.

ELECTIONS, CONTROVERTED, CORNWALL TOWN:--Petition of Solomon Youmans Chesley, opposing Candidate, and others, Electors, complaining of that Election, (17) 152, (24-25) 223-224. Day appointed for taking the Petition into consideration, (48) 341. Time for recognizance and consideration of Petition enlarged, on division, (58) 394-395, (96) 585. Recognizance, (95) 564. Order for consideration discharged; Petition withdrawn, and recognizance cancelled, (131) 731.

ELECTIONS, CONTROVERTED, GRENVILLE COUNTY:--Petition of William Harris, and others, Electors, complaining of that Election, (10) 60, (17-18) 153-154. Also of R. Burritt, and others, Electors, the same, (14) 110, (23-24) 222. Consideration of Petitions moved, (29-30) 240. Postponed, (30) 240-241. Day appointed for taking Petitions into consideration, (32) 258. Recognizance of William Harris, and others, (32) 261. Time for recognizance of R. Burritt, and others, and consideration of Petitions to be enlarged, negatived, on division, (59) 396-397. Time for consideration enlarged, (63) 419. Consideration of Petition of R. Burritt, and others, discharged, (91) 539. Petition of William Harris, and others, considered, (122) 703. Witnesses for Petitioners, (122) 703-704. For Sitting Member, (123) 704. Committee appointed,

(123) 704-706. Time and Place of Meeting, (123) 706. Absence of Members reported, (131) 732-733, (136) 747. Committee to proceed, notwithstanding the absence of a Member, (137) 771. Final Report, (146) 807-808.

ELECTIONS, CONTROVERTED, HALTON COUNTY, WEST RIDING:--Petition of James Durand, opposing Candidate, complaining of that Election, (3) 19, (6-7) 30-35. Recognizance, (30) 253. Day appointed for taking Petition into consideration, (31) 256. Considered, (75-76) 467. List of witnesses for Petitioner, (76-78) 467-474. For Sitting Member, (78-79) 474-481. Committee appointed, (79-81) 481-483. Time and place for meeting of Committee, (90) 538, (135) 744. Commission appointed, (137-138) 773. Copy of Poll Book, (147) 809. Lists of Voters objected, to be transmitted, (147) 811. Original Poll Book to be transmitted, (168) 906. Time extended for lists of Voters, (201) 1124. Absence of a Member reported, (259) 1518. Adjournments, (259) 1519, (328) 1948-1949. Additional witnesses for Petitioner, (265-267) 1561-1569. For Sitting Member, (267-269) 1569-1577.

ELECTIONS, CONTROVERTED, LANARK COUNTY:--Petition of Alexander Fraser, opposing Candidate, complaining of that Election, (17) 152, (26) 229-230. Petition of William Duncan, and others, Electors, the same, (31) 255, (42) 308-309. Of A. W. Playfair, Sr., and others, Electors, the same, (31) 255, (42-43) 309-310. Recognizance, (32) 261. Day appointed for taking the Petitions into consideration, (38) 287-288. Enlarged, (74-75) 461. Considered, (129-130) 728. List of witnesses for Petitioners, (130) 728-729. For Sitting Member, (130) 729. Committee appointed, (130) 729-731. Time and place of Meeting, (130) 731. Absence of Members reported, (137) 771, (170) 950-951. Final Report, (185) 1029-1030.

ELECTIONS, CONTROVERTED, LEEDS COUNTY:--Petition of William Buell, opposing Candidate, complaining of that Election, (10) 60. Petition withdrawn, (16) 116. Another Petition of William Buell, the same, (17) 152, (25-26) 225-229. Recognizance, (60) 408. Consideration of Petition discharged, on division, (60) 408-410.

ELECTIONS, CONTROVERTED, LINCOLN COUNTY, NORTH RIDING:--Petition of Samuel Wood, and others, Electors, complaining of that Election, (4) 26, (10-12) 61-64. Recognizance, (23) 220. Day appointed for taking Petition into consideration, (31) 257. Enlarged, (80) 484. Considered, (97) 593-594. List of witnesses for Petitioners, (97) 594. For Sitting Member, (97) 594-595. Committee appointed, (97-98) 595-598. Time and place of meeting of Committee, (98) 598. Absence of Members reported, (129) 725, (131) 731-732, (137) 772. Committee to proceed, notwithstanding absence of a Member, negatived, on division, (137) 772-773. Absence of Members further reported, (144-145) 803, (166) 901, (182) 1018-1019. Adjournment, (194) 1097, (197) 1106. Final Report, (202) 1130. Evidence and Proceedings to be attached to Report, (204) 1137.

To be printed, (214) 1190.

ELECTIONS, CONTROVERTED, LINCOLN COUNTY, SOUTH RIDING:--Petition of Gilbert M'Micking, and others, Electors, complaining of that Election, (31) 255, (43) 310. The Petition not pending, by failure of recognizance, (99) 599.

ELECTIONS, CONTROVERTED, MEGANTIC COUNTY:--Recognizance, (30) 253. Petition of Richard Charles Porter, and others, Electors, complaining of that Election. Notice of Petition ((23)) 219. Petition presented, (30) 254. Read, (41-42) 304-307. That the grounds set forth in Petition, if true, are sufficient to make void said Election moved; Consideration thereof postponed, (50) 355, (59) 399, (63) 419, (84) 515, (135) 745, (169) 938, (171) 956. Consideration discharged nem. con., (191) 1059-1069.

ELECTIONS, CONTROVERTED, MIDDLESEX COUNTY:--Petition of William Notman, opposing Candidate, Alexander Anderson, and Simeon Morrill, Electors, complaining of that Election, (3) 19, (4-5) 27-28. Another Petition of William Notman, the same, (3) 19, (5) 28-29. Day appointed for taking Petition of William Notman into consideration, (31-32) 257-258. Recognizance, (32) 261. Petition considered, (151) 845. Lists of witnesses for Petitioner, (151-163) 845-892. For Sitting Member, (163-165) 892-899. Committee appointed, (165-166) 899-901. Time and place of meeting of Committee, (166) 901. Adjournment, (178) 990. Commission appointed, (187) 1038. New Commission, (196) 1105. Exchange of lists of Voters objected to, (199) 1119-1120. Original Poll Book and other documents to be transmitted, (201) 1124. Additional list of witnesses for Sitting Member, (331-337) 1965-1987. Adjournment, (365) 2181.

ELECTIONS, CONTROVERTED, MONTREAL CITY:--Petition of Peter Dunn, and others, Electors, complaining of that Election, (23) 219. Recognizance, (23) 219. Petition read, (34-36) 268-271. That the grounds set forth in Petition, if true, are sufficient to make void the Election, moved; Consideration thereof postponed, (50) 355, (63) 419, (84) 495-515, (135) 745. Consideration discharged, on division, (168-169) 909-938. Vide Addresses, (65.)

ELECTIONS, CONTROVERTED, NORFOLK COUNTY:--Petition of David Duncombe, opposing Candidate, and others, complaining of that Election, (17) 152, (25) 225. Recognizance, (32) 262. Petition again brought up and presented, (33) 264, (47) 337. Day appointed for taking Petition into consideration, (48) 343. Enlarged, (74) 460. Considered, (123) 706-707. List of witnesses for Petitioners, (124) 707. For Sitting Member, (124) 707-708. Committee appointed, (124) 708-710. Time and place of meeting of Committee, (125) 710. Absence of Members reported, (131) 731-732, (137) 771, (144) 802-803. Committee to proceed notwithstanding absence of a Member, (167) 903. Adjournment, (169) 948.

Commission appointed, (193) 1096-1097. Further adjournment, (197) 1107. Absence of Chairman reported, (369) 2200. Further absence reported, (372) 2213. Final Report, (375-376) 2280. Minutes and Proceedings of Evidence to be laid before the House, (384-385) 2321-2322. Petition of Edward Foster, and others, Electors, in favour of Sitting Member, (60) 411, (88) 532.

-----Vide also Williams, Titus.

ELECTIONS, CONTROVERTED, OXFORD COUNTY:--Petition of Hon. Francis Hincks, opposing Candidate, complaining of that Election, (3) 19, (5) 29-30. Recognizance, (23) 219-220. Day appointed for taking the Petition into consideration, (31) 256-257. Enlarged, (83) 492-493. Considered, (105-106) 634. Witnesses for Petitioner, (106-114) 634-668. For Sitting Member, (114-121) 668-699. Considered, (121-122) 699-702. Committee appointed, (122) 702-703. Time and place of meeting of Committee, (122) 703. Commissions appointed, (139) 778. Absence of Members reported, (145) 803, (341) 2015. Adjournment, (145) 803, (308) 1827, (341) 2015. Meeting of Commission extended, (145) 803. Exchange of votes objected to, and copy of Poll Book to be sent to Commission, (145) 803-804.

ELECTIONS, CONTROVERTED, ST. HYACINTHE COUNTY:--Recognizance, (30) 253. Petition of Leonard Boivin, and others, Electors, complaining of that Election, (31) 255, (44-45) 330-333. That the grounds set forth in Petition, if true, are sufficient to make void said Election, moved, (56) 377-378. Consideration thereof postponed, (56) 378, (84) 515, (147) 811, (180) 994. Consideration discharged, on division, (191) 1069-1070.

ELECTIONS, CONTROVERTED, STORMONT COUNTY:--Petition of Alexander MacLean ((or M'Lean)), and others, Electors, complaining of that Election, (14) 110, (23) 220-221. Recognizance, (60) 411. Day appointed for taking Petition into consideration, (74) 460. Considered, (143) 799. List of witnesses for Petitioners, (143-144) 799-800. For Sitting Member, (144) 800. Committee appointed, (144) 800-802. Time and place of meeting, (144) 802. Adjournments, (171) 953, (186) 1031-1032, (215) 1198. Absence reported, (176) 983-984. Additional witnesses, for Sitting Member, (215) 1191. Final Report, (235) 1327.

ELECTIONS, CONTROVERTED, WENTWORTH COUNTY:--Petition of Michael Aikman, opposing Candidate, complaining of that Election, (33) 264, (47) 338-339. Petition not pending by failure of recognizance, (99) 599.

ELECTIONS, CONTROVERTED, YAMASKA COUNTY:--Recognizance, (30) 253. Petition of J. G. Barthe, and others, Electors, complaining of that Election, (30) 254. Petition read, (40-41) 302-303. Motion to amend the JOURNALS on reception of the Petition, negatived, on division, (44) 328. That the grounds set forth in Petition, if true, are sufficient to make void said Election, moved; Consideration thereof postponed,



(62) 417. Further postponed, (90-91) 539, (180) 994. Petition of Léon Rousseau, Sitting Member, (188) 1049, (189) 1053-1054. To be printed, (190) 1054-1055. Further consideration discharged, on division, (191-192) 1071-1072.

ELECTIONS, CONTROVERTED, YORK COUNTY, FOURTH RIDING:--Petition of Charles H. Howard, and others, Electors, complaining of that Election, (33) 264, (47) 336-337. The Petition not pending by failure of recognizance, (98) 598.

ELECTIONS, CONTROVERTED, YORK COUNTY, THIRD RIDING:--Petition of Robert Harrison, and others, Electors, complaining of that Election, (3) 20, (7-8) 35-37. Recognizance, (32) 262. Day appointed for taking Petition into consideration, (48) 341-343, (54-55) 372, (85) 519. Considered, (86) 525. List of witnesses for Petitioners, (86) 525-526. Of Sitting Member, (86) 526. Committee appointed, (86-87) 527-528. First Report, (89) 536. Adjournment, (89) 536. Commission appointed, (89-90) 536. Exchange of lists of objections; All papers on the Election to be transmitted, (95) 555-556. Addition to lists of witnesses, (96) 568-579, (176) 984. Commission and Evidence taken by the Commission to be returned forthwith, (219) 1215-1221. Absence reported, (231) 1292-1293, (257) 1500-1501, (260) 1524, (269) 1577-1578, (274) 1595, (293) 1690-1691, (297) 1745, (304) 1806, (315) 1859, (318) 1899, (325) 1931, (350) 2112, (354) 2136-2137. Commission not returned; Adjournment, (231) 1293. Report of Commissioners received, (243) 1393. Further adjournments, (275) 1598, (298) 1763-1764, (308) 1827, (327) 1944. Committee to proceed notwithstanding the absence of a Member, (293) 1690-1691. Letter from a Member excusing his absence, (338) 1995-1996. Final Report, (359) 2158. Evidence to be printed, (359-360) 2161-2163. Vide Small, James Edward.

ELECTIONS, GENERAL, OUTRAGES AT:--Motion to have the Clerk read the Resolution of the JOURNALS of 1841 and 1843 relative to the Outrages alleged to have been committed at the General Elections, 45-46. Withdrawn Motion; Notice of Motion, 47.

ELECTIONS, WRITS ISSUED DURING THE SESSION:--

FOR WHAT PLACE.

IN THE ROOM OF.

ON WHAT ACCOUNT.

County of Saguenay.....Augustin Norbert Morin, Esq.....Made his Election for  
County of Bellechasse,  
(48) 340.

County of Simcoe.....William B. Robinson, Esq.....Inspector General,  
(87) 529.

County of Kent.....Samuel B. Harrison, Esq.....Judge Surrogate  
Court, (99) 599.

FOR WHAT PLACE.

IN THE ROOM OF.

ON WHAT ACCOUNT.

County of Lanark.....Malcolm Cameron, Esq.....Void Election,  
(185) 1030.

-----Vide also Clerk Of The Crown In Chancery.

ELECTIVE FRANCHISE:--Notice of Question concerning Government's intention to introduce Bill to extend Franchise to Indians on Reservations, 358. Question; Answer, 380.

-----Petition of James Grant (of Martintown), for the free exercise of the Elective Franchise to be allowed to the occupants of the Indian Reservation in the counties of Glengarry and Stormont, (292) 1687, (298) 1762-1763. Referred, (324) 1929.

ELEMENTARY INSTRUCTION:--Vide Education And Schools.

ELKINS, C. P.:--Petition of, for increase of Salary as Clerk of Circuit Court for Stanstead; Another Petition of same, for certain expenses to be refunded, (4) 26, (12) 64.

ESCOTT TOWNSHIP:--Petition of Municipal Council, district of Johnstown, to make Escott a separate township, (4) 26, (12) 65. Referred, (12) 66.

EVANGELICAL ASSOCIATION:--Petition of Rev. Jacob Carr, and others, for like privileges to said Association, as are extended to other Religious Societies, (93) 549, (100) 601. Of Rev. Theobald Schneider, and others, the same, (93) 551, (100) 603. Referred, (133) 738. Petitions referred to Committee on Private Bills, (102) 609, (195) 1101. Report, (218) 1211-1212.

-----Bill to extend the provision of an Act of Upper Canada, to the Clergymen of the Evangelical Association, presented and read, (227) 1278. Read second time; Committed; Considered; Reported, (410) 2464. Passed, (418) 2493. By the Council, (437) 2560. Royal Assent, (439) 2566. (8 Vic., cap. 34.)

EXECUTIVE COUNCIL:--Question regarding formation of, 316. Answer, 316-317.

EXPENSES OF GOVERNMENT:--Bill to reduce. Notice of Motion, 56.

-----Vide also Supply.

EXPIRING LAWS:--Standing Committee on, appointed, (38) 286-287. Matters referred: Petition of Talbot Agricultural Society, (95) 565. Report, (315-316) 1860-1861.

-----Bill to continue further for a limited time the several Acts therein mentioned, presented and read, (316) 1861-1862. Read second time, (412) 2470-2471. Committed; Considered; Reported, (412) 2471. Passed, (422-423) 2508. By the Council, (437) 2560. Royal Assent, (439) 2566. (8 Vic., cap. 26.)

## F

FEES OF OFFICE:--Vide District Officers; Salaries.

FERRIES:--Petition of Edouard Norman ((or Normand)), for exclusive privilege for a Steam Ferry at Three Rivers, (22) 219, (34) 267. Petition of Jean Baptiste Bellefeuille, and two others, against Petition of Edouard Norman, (44) 329, (53) 368.

-----Bill for better enforcing the Act of Upper Canada for regulation of Ferries, presented and read, (294) 1693. Read second time; Committed; Considered, (358) 2153. Reported, (365) 2178. Passed, (366) 2192. By the Council, (385) 2326. Royal Assent, (440) 2571. (8 Vic., cap. 50.)

-----Petition of Hamilton D. Jessup, and others, for Ferry between Prescott and Ogdensburg, to be placed under control of town of Prescott, (372) 2214, (377) 2293.

FEUDAL TENURE:--Petition of Francis Cottrell, and others, of Seigniorship of St. Antoine de la Baye, for authority to divide the said Seigniorship among themselves, (22) 218, (34) 266. Petition of Antoine Lozeau, and others, for amendment to Act Geo. IV, cap. 10, concerning the Seigniorship of Baie du Febvre, (33) 263, (46) 335. Petitions referred, (61-62) 415, (89) 533. Addition to Committee, (89) 533-534. Petition of T. A. Simard, and others, complaining of the hardships as Censitaires in Seigniorship of Deléry, (99) 599, (132) 735. Petition of Benjamin Brewster, and others, for amendments to act respecting Fiefs Nazareth, &c., (60) 411, (88) 532. Referred, (89) 535. Report, (315) 1858. Infra. Petition of G. Weldon, and others, for Address against injustice of Seigniors in County of Huntingdon, (145) 804, (169) 949. Petition of O. Trudel, and others, for appointment of Commission to examine into the arrears of Lods et Ventes, in the Seigniorship of Batiscan, &c., (295) 1716, (303) 1803-1804. Referred, (324) 1929.

-----Bill, the better to facilitate Commutation of Tenure en Roture. Notice of Motion, 56. Bill presented and read, (63) 419. Order for second reading, (255) 1490-1492. Second reading, on division, (273) 1589-1590. Referred with an Instruction, (273) 1590. Two Members added, (299) 1765-1766. Reported, (318) 1899-1900. Committed, (318) 1900. Considered, (423) 2510. Reported; Passed, (431) 2536. By the Council, (436) 2555-2556. Royal Assent, (440) 2567. (8 Vic., cap. 42.)

-----Bill to declare illegal the monopoly of Mill Streams claimed by Seigniors in Lower Canada. Notice of Motion, 56. Bill presented and read, (63) 419-420. Order for second reading, (63) 420. Motion for second reading; Withdrawn Bill, 1640.

-----Notice of Question concerning Government's intention to abolish Seigniorial System, 358. Question; Answer, 380.

-----Bill to abolish Feudal Tenure, presented and read, (96) 580-585. Order for second reading, (96) 585.

-----Bill to empower any religious community, being the Seignior of Fiefs Nazareth, St. Augustine, and St. Joseph, in district of Montreal,

to invest money arising from Commutation of Tenure therein, presented and read, (315) 1858. Read second time; Committed; Considered; Reported, (411) 2469. Passed, (413) 2477. By the Council, (432) 2541. Royal Assent, (440) 2569. (8 Vic., cap. 43.)

-----Vide also Addresses, (55, 56, 86.)

FIEFS NAZARETH:--Vide Feudal Tenure.

FINES, FORFEITURES, &C.:--Return to Address of 27 October 1843, presented, (49) 346-347.

FISH AND FISHERIES:--Petition of Charles Cunningham, and others, for an Act to confirm the Imperial Act relating to the Gaspé Fishery and Coal Mining Company, (3) 19, (4) 27. Referred, (8) 38. Bill reported and read, (10) 51. Read second time; Referred, (51) 356. Reported; To be engrossed, (105) 620. Passed, (138) 774. By the Council, (171) 953. Royal Assent, (242) 1391. (8 Vic., cap. 97.)

-----Bill for protection of Gaspé Fisheries. Notice of Motion, 23.

-----Notice of Motion for Committee of the whole to consider of affording encouragement to the Gaspé and Gulf Fisheries, 56. House resolves to go into Committee, (13) 67. Considered, (39) 290-292, (240) 1375-1376.

-----Petition of W. Dunlop, and others, to compel Mr. Brewster to provide a free passage for fish at his Mill-dam, (60) 411, (88) 532. Referred, (89) 535. Report, (105) 619-620.

-----Petition of John White (of Dundas), and others, that the Mill-dams on Petit Nation River do not impede Navigation, or ascent of Fish, (166) 902, (177) 985.

-----Petition of James Perchard, Abraham Coffin, and others, of Gaspé Bay, engaged in the Fisheries of Gulf of St. Lawrence, respecting the pretensions of the Lessees of the King's Posts thereon, (224) 1270, (234) 1325. Referred, (238) 1358. Report, (361) 2166. Concurred in, (369) 2200. Vide Addresses, (102.)

-----Bill to enable the Local Authorities in district of Gaspé, to provide By-laws, &c., for preservation of Salmon and other Fisheries therein, and for other purposes. Notice of Motion, 1079. Bill presented and read, (196) 1104. Read second time, (279-280) 1631. Referred, (280) 1631. Bill to provide legal proof of Marriages, &c., in district of Gaspé, also referred, (280) 1632. Committee have leave to report separately on each Bill; Report, (293) 1691. Vide Gaspé District. Petition of William Baker (of Gaspé Bay), and others, against the Bill, (366) 2192, (375) 2277.

-----Bill for preservation of Salmon in Upper Canada presented and read, (356) 2144. Read second time; Committed; Considered, (376) 2288. Reported, (382) 2307. Read third time; Clause added; Bill passed, (384) 2316. By the Council, (420) 2502. Royal Assent, (440) 2571. (8 Vic., cap. 47.)

FITZGIBBON, COLONEL:--Vide Governor General, Messages From His Excellency, (5.)



FLEMING, MRS. ANN CUTHBERT:--Petition of, for aid to publish certain works on the English Language, (93) 551, (100) 604.

FLEMING, PETER:--Petition of, for an investigation of certain Grievances, (295) 1716, (303) 1804. Referred to Committee on Petition of Reid and Sheppard, (313) 1853. Vide St. Lawrence Canal.

FORBES, GEORGE:--Petition of, for other land or Scrip than that which he had located, (372) 2213, (377) 2293.

FOREIGN SHIPPING:--Vide Importation Of Goods In Foreign Vessels.

FORGES OF ST. MAURICE:--Vide Addresses, (18.)

FORWARDING:--Vide Quebec Forwarding Company.

FRENCH LANGUAGE:--Moved to Address Her Majesty on the subject of using the French Language in all Public Documents, (91) 540-542. Consideration postponed; To be printed, (91) 542. Further postponed, (180-181) 1004-1005, (200-201) 1122-1123. Considered, (223) 1254-1256. Agreed to, (223-224) 1256-1258. Committee appointed to draft the Address, (224) 1258. Reported and agreed to, (289-290) 1672-1674. Vide Addresses, (5.)  
-----Vide also Speaker.

## G

GAME:--Petition of E. L. Hayden, and others, of Sorel, for protection of Wild Gamé, (9) 50, (14) 111. Of John Macpherson ((or M'Pherson)), and others, of Crane Island, the same, (9) 50, (15) 111. Petitions referred, (27) 232, (31) 255. A Member added, (56) 377. To report from time to time; With an Instruction, (139) 777. Report, (195) 1102.

-----Bill to protect Wild Fowl, and to prevent them being destroyed at improper seasons of the year, presented and read, (197) 1106. Read second time; Committed, (241) 1383. Considered, (280) 1632-1634. Committee to sit again in six months, on division, (280) 1634-1635.

-----Bill to prevent certain Wild Fowl and Snipes from being destroyed at improper seasons of the year, and to prevent trapping Grouse and Quail in this Province, presented and read, (307) 1820. Read second time; Committed, (345) 2029. Considered, (345) 2029-2030. Reported, (347) 2057. Passed, (350) 2113. By the Council amended, (376) 2282. Amendments considered and agreed to, (381) 2305. Royal Assent, (441) 2571. (8 Vic., cap. 46.)

GANANOQUE:--Vide Navigation.

GAOLS AND COURT HOUSES:--Petition of Loop Odell, and Antoine Merizzi ((or Merrizzi)), for grant to satisfy the Contractor for building Gaol and

Court House in county of L'Acadie, (39) 299, (52) 365.

GAS LIGHT:--Vide Toronto Gas Light And Water Company.

GASPE DISTRICT:--Bill to provide legal proof and preservation of Marriages, Births, Baptisms, and Burials in district of Gaspé, presented and read, (204) 1137. Read second time; Referred, (280) 1632. Reported, (293) 1691. Committed, (294) 1694. Considered, (294) 1694-1695. Reported, (297) 1746. Passed, (298) 1761.

-----Vide also Administration Of Justice; Landholders; Municipalities, Canada East.

GASPE FISHERIES:--Vide Fish And Fisheries.

GATINEAU RIVER:--Vide Addresses, (52.)

GELY, JOSEPH:--Petition of, for grant of Scrip, for past services, (311) 1846, (327) 1945, (341) 2017.

GEMMILL, JOHN R.:--Petition of, for relief, (56) 387, (81) 485. Referred, (88) 533. Vide Lands, Public.

GENERAL AMNESTY:--Vide Addresses, (2.)

GEOLOGICAL SURVEY:--House resolves to go into Committee to consider of granting further aid towards completing the Geological Survey of the Province, (171) 954-955. Considered, (186) 1034-1035, (200) 1121-1122. Resolution reported and agreed to, (205) 1142-1143.

-----Bill to make provision for a Geological Survey of this Province, presented and read, (205) 1143. Second reading; To be engrossed, (222) 1253-1254. Passed, (225) 1272. By the Council, (239) 1374. Royal Assent, (370) 2206. (8 Vic., cap. 16.)

-----Reports of W. E. Logan on a Geological Survey of the Province, transmitted by Message, (205) 1143. To be printed, (214) 1190.

-----Vide also Addresses, (52.)

GIBBS, JOHN P.:--Petition of, to be indemnified for loss of his Store, burned during disturbances on the Public Works of the River Trent, (131) 733, (146) 806.

GLOUCHESTER TOWNSHIP:--Bill to authorize the Assessment and Collection of Taxes in said Township for 1844, (285) 1657. Read second time; To be engrossed, (358) 2149. Passed, (360) 2163-2164. By the Council, (373) 2216. Royal Assent, (439) 2566. (8 Vic., cap. 65.)

-----Petition of Municipal Council of district of Dalhousie, that the Assessor and Collector do Assess and Collect the rates within the said Township, for the year 1844, as well as for 1845, (276) 1616, (288) 1669.

GODMANCHESTER:--Petition of E. Colville, and others, for a division of said

Township, (33) 263, (46) 336. Referred, (61) 414. Petition of Charles DeWitt (of Godmanchester), and others, that said Township remain undivided, (131) 734, (146) 806. Referred, (177) 987. Vide Bolton And Hatley Townships.

GOURLAY, ROBERT FLEMING:--Petition of, for reconsideration of his case, and that justice be done him, (250) 1438, (256) 1497.

GOVERNOR GENERAL:--His Speech at the opening of the Session, reported by Mr. Speaker, (2-3) 14-17. Day appointed for taking it into consideration, (4) 20-22. Postponed, (9) 41-42. Considered, (13) 67. Resolution moved, (13-14) 68-85. Amendment, (14) 85. Debates, (14) 85-103. Debate on amendment resumed, (16-17) 117-146, (19-20) 156-205. Amendment negatived, on division, (20) 205-206. Three other amendments also negatived, on division, (20-21) 206-208. Original motion carried, on division, (21) 208. Vide Addresses, (15.)

-----Moved to resolve an humble Address to His Excellency, congratulating His Excellency on his elevation to the Peerage, and to express gratitude to their August Sovereign for thus rewarding His Excellency's distinguished merit, (295) 1716-1717. Amendment proposed, (296) 1717. Negatived, (296) 1741. Main motion agreed to, on division, (296) 1741. Committee to draft the Address (three to be a quorum), (296) 1743. Address reported, (296) 1743-1744. Vide Addresses, (87.)

-----Assents to introduction of Measures involving the interests of the Crown, (55) 377, (221) 1246, (285) 1656, (306) 1811.

-----His Excellency's Speech at the close of the Session, (442) 2574-2576.

GOVERNOR GENERAL, MESSAGES FROM HIS EXCELLENCY:--Desiring the attendance of the Legislative Assembly in the Chamber of the Legislative Council, (1) 1, (2) 13, (87) 529, (242) 1391, (314) 1855, (370) 2204, (439) 2566.

1. In Answer to Address, on the 41st Section of the Union Act, (49) 346.
2. In Answer to Address, on the Office of the Chief or Civil Secretary, (64) 421.
3. Transmitting Despatches from Secretary of State in reply to certain Addresses, and respecting certain Reserved Bills of last Session, (64-74) 421-460. To be printed, (74) 460.
4. In Answer to Address, relative to the Steamer "Unicorn," (102) 609.
5. Recommending the case of Col. FitzGibbon to the consideration of Legislative Assembly, (102) 609-610.
6. In Answer to Address, relative to Political Offenders, (102) 610.
7. In Answer to Address, respecting broken Lot (Letter O.), at Bytown, (139) 781, (139-142) 782-792. To be printed, (196) 1104-1105.
8. With correspondence on Post Office Department of British North America, in Answer to Address, (139) 781-782. Vide Postage.
9. With Return of claims against the late Commissioners of the Chambly Canal, also the claim of Messrs. Andres, Contractors of said work, (197-198) 1108-1110. Vide Chambly Canal.
10. With correspondence in Answer to Address, on the subject of King's

- College University, (198-199) 1110-1115. To be printed, (204) 1137.
11. With copies of Reports of W. E. Logan, on a Geological Survey of the Province, (205) 1143.
  12. With Reports and other papers connected with the Outrages on Public Works, (211) 1181.
  13. With communications in Answer to Address, relating to Montreal Election, (211-213) 1181-1186. To be printed, (213) 1186.
  14. With documents, on claim of the Imperial Government for reimbursement from Military Chest of £13,513 10s. 3d. for Advances in 1838 for Civil Services, (219) 1223-1225.
  15. With documents, on claim of Judges of Queen's Bench in Lower Canada, to continuance of travelling allowance, (229-230) 1283-1287.
  16. With extract of Report by Select Committee of Legislative Council, on claims of Pierre Lacroix and Joseph Bolduc, recommending a pension of £18 per annum, to them from date of the Union, (230) 1287-1288. Committed, (274) 1595.
  17. With documents relating to the Welland Canal Stock held by private individuals, (246-248) 1411-1416. Vide Welland Canal.
  18. With claim of James Lonney, Contractor on Cascades Road, (248) 1416-1418.
  19. With Petition from Henry Weeks, for compensation for loss by an incorrect Survey in township of Yonge, (248-249) 1418-1421. Vide Weeks, Henry.
  20. With Reports relating to the Boundary between the Province of Canada and New Brunswick, (255) 1489.
  21. With Despatch in reply to Address to Her Majesty, on the birth of Prince Alfred, (300-301) 1795-1796.
  22. With Despatch in relation to Address, on Political Offenders returning to their homes, (301) 1796-1797.
  23. With Despatch in reply to Address to Her Majesty, on a General Amnesty, (301) 1797-1798.
  24. With Report of Commissioners on the practice and proceedings of the Court of Chancery in Upper Canada, (319) 1903. Vide Court Of Chancery.
  25. With probable Revenue and Expenditure for 1845, together with Estimate for Service of same year, (365) 2176.
  26. With Address from Legislative Council on subject of Annual Salary to Speaker of that House, (401) 2430-2431.
  27. With Supplementary Estimate for the Service of present year, (429) 2529-2530.

GRAND RIVER BRIDGES:--Petition of William Dickson (of Gore), and others, to prevent fast driving over said Bridges, (88) 531, (95) 554. Referred, (250) 1439. Bill reported and read, (281) 1645. Read second time; Committed, (357-358) 2148. Considered, (358) 2148. Reported, (365) 2178. Passed, (366) 2193. By the Council, (376) 2281. Royal Assent, (440) 2568. (8 Vic., cap. 44.)

-----Petition of John Hammill, for payment of account as Contractor, for building a Bridge across Grand River, (231) 1293, (234) 1325.



GRANT, JAMES L.:--Petition of, for grant of Scrip for past Services, (145) 805, (170) 950.

GRENVILLE CANAL:--Vide Claims For Damages By Public Works.

GRENVILLE COUNTY:--Vide Elections, Controverted, Grenville County.

GRIMSBY HARBOUR:--Vide Harbours.

GUY, ETIENNE:--Petition of, for payment for services as Returning Officer for county of Montreal, (80) 484, (94) 553.

GWILLIMBURY WEST:--Petition of Municipal Council, district of Simcoe, that the "Old Survey" in said Township be not separated from said district, (263) 1548, (276) 1617. Petition of George A. Douglas, and others, the same, (292) 1687, (298) 1763.

## H

HALDIMAND COUNTY:--Petition of Daniel Hover ((or Hoover)), and others; of James A. Applebee, and others; of Robert F. Cooke, and others, that the said County be set apart as a separate district, (30) 254, (41) 304. Of Joseph Gee, and others; of John DeCow, Sr., and others, the same, (44) 328, (53) 367. Of John Donaldson, and others, (52) 364, (61) 412. Petitions referred, (54) 370, (61) 415, (82) 487-488. Also Petition of George Stevenson, and others, referred, (88) 533. Bill reported and read, (105) 620. Motion for second reading, (182) 1013-1014. Second reading in six months, on division, (206) 1152-1154.

-----Petition of James Little, and others, that said County be not set apart as a separate district, (274) 1594, (281) 1644.

HALTON COUNTY:--Vide Elections, Controverted, Halton County.

HAMEL, THEOPHILE:--Petition of S. Derbishire, for aid to enable Théophile Hamel to complete his studies at Rome, (33) 263, (47) 336.

HAMMILL, JOHN:--Petition of, for payment of balance for building a bridge over the Grand River, (131) 734, (146) 806. Motion to refer Petition, negatived, on division, (183) 1020-1023.

HARBOURS:--Petition of John Burwell, for aid to improve the harbour of Port Burwell, (33) 263, (46) 335.

-----Petition of William Gamble, and others, for incorporation of Humber Harbour and Road Company, (33) 264, (47) 336. Referred, (54) 370. Bill reported and read, (139) 776. Read second time; Referred to Committee on Private Bills, (224) 1258. Reported, (260) 1524-1526. Committed, (262) 1539. Considered, (344) 2024-2025. Again considered and

reported, (431) 2537. Passed, (436) 2555. By the Council, (437) 2560. Royal Assent, (440) 2569. (8 Vic., cap. 95.)

-----Petition of A. ((or Neil)) M'Kinnon, and William F. Wallace, for aid to complete the Harbour at Port Burwell, (88) 531, (94) 554. Referred, (126) 713. Vide Tolls. Petition of Robert Nickson ((or Nixon)), and others, for completion of Grimsby Pier and Harbour, (99) 600, (132) 735. Petition of Directors of Bronte Harbour Company, for extension of time to complete said harbour, (238) 1358, (244) 1402. Referred to Committee on Private Bills, (256) 1498. Report, (261) 1527. Petition of Hugh Richardson, and others, for improvement of harbour at Port Hope, (341) 2014, (350) 2113. Petition of J. Draper, and J. Crawford, for improvement of harbour at Otter Creek, (383) 2315, (386) 2359. To be printed, (386) 2359. Another Petition from Bronte Harbour, for extension of time to complete the same, (402) 2439, (424) 2516.

-----Vide also Addresses, (70, 82, 83.)

HARRIS, HENRY WILLIAM:--Vide Divorce.

HASTINGS COUNTY:--Vide Registration.

HAWKERS AND PEDLARS:--Vide Duties.

HAWKINS, ALFRED:--Petition of, for patronage in publishing a Plan of the Naval and Military Operations before Quebec in 1759, (33) 264, (47) 338. Referred, (48) 343.

HAYDEN, E. L.:--Petition of, for remuneration for a Grammar compiled by him in the English Language, (40) 300, (52) 366.

HEALEY ((OR HEALY)), JOHN:--Petition of, for a retiring allowance as a Messenger of the Assembly, (251) 1472, (259) 1523. Referred to Committee on Contingencies, (264) 1557. Report, (424) 2516. Resolution, (426) 2521.

HEBERT, CHARLES:--Petition of, for relief for services to Municipal Council, district of Quebec, (4) 27, (12) 65.

HIGHWAYS AND BRIDGES:--House resolves to go into Committee to consider of repealing Laws now in force relating thereto, in Lower Canada, and to substitute other provisions therefor, (294) 1692. Order discharged, (359) 2154.

HILLIER TOWNSHIP:--Vide Surveying.

HION, JULIEN:--Petition of, that he may be admitted as a Pilot, (350) 2112, (360) 2164.

HOLLAND RIVER:--Petition of James Dallas, and others, for Survey and improvement thereof, (33) 263, (46) 335. Petition of A. Lynd, and others, (216) 1208, (225) 1273. Of Thomas Drury, and others, against Petition of James Dallas, and others, (250) 1438, (256) 1497. Petition of Municipal Council, district of Simcoe, for improvement of Eastern Branch of said River, (341) 2015, (351) 2114.

HOSPITALS:--Petition of Very Rev. Edward Crevier, Parish of St. Hyacinthe, for aid to Hospital of the Hotel Dieu in said Parish, (22) 218, (34) 266. Petition of President and Governors of Montreal General Hospital, for aid, (93) 550, (100) 602.

HOTEL DIEU:--Vide Hospitals; Montreal Hotel Dieu.

HOUSE OF CORRECTION:--Vide Three Rivers, House Of Correction.

HOUSE OF INDUSTRY:--Vide Addresses, (91.)

HUMBER HARBOUR:--Vide Harbours.

HUNT, JOSEPH:--Petition of, for grant of land, (99) 600, (132) 736.

HURON DISTRICT:--Bill to provide for recovery of Rates or Taxes imposed by the Council of said District, presented and read, (82) 490. Read second time, (147) 812. Committed, (147-148) 812-825. Vide Questions Negatived, (13.) Considered, (204) 1139-1142. Reported, (204) 1142. To be engrossed, on division, (205) 1142. Passed, (210) 1175-1176.

-----Against the Bill: Petition of Frederick Widder, Commissioner of Canada Company, (93) 549, (100) 601. Referred, (101) 608.

-----Petition of Grand Jury, district of Huron, to compel all Absentees of said District to pay their Taxes, (145) 805, (170) 950.

I

ICE BRIDGES:--Vide Addresses, (60, 62.)

IMPEACHMENTS:--Bill to establish a tribunal for trial of. Notice of Motion, 56. Bill presented and read, (38) 289. Read second time, on division, (180) 996-1003. Referred, (180) 1003-1004.

IMPORTATION OF GOODS IN FOREIGN VESSELS:--House resolves to go into Committee to consider of Addressing the three Branches of Imperial Parliament for repealing part of 31st Clause of 3 and 4 Will. IV, cap. 59, authorizing the importation of certain goods in Foreign Vessels, on Inland Waters of this Province, &c.; Considered, (405) 2446. Resolutions reported and agreed to, (405) 2446-2447. Committee to draft Petitions to Her Majesty, and the Two Houses of the Imperial Parliament,

(405) 2447-2448. Petitions reported and agreed to, (405-407) 2448-2452. Sent to the Council for concurrence, (407) 2452. Concurred in by Council, (420-421) 2502-2504. Vide Addresses, (116.)

IMPORTS AND EXPORTS:--Vide Duties.

IMPROVEMENTS:--Vide Public Improvements.

INCENDIARISM:--Petition of Rev. William Leeming, and others, for remuneration for burning a Church, at Chippewa, by incendiaries, (93) 549, (100) 602.

INDEMNIFICATION OF CLERGY:--Vide Elections.

INDEPENDENCE OF PARLIAMENT:--Vide Legislative Assembly; Legislative Council.

INDIAN DEPARTMENT:--Vide Addresses, (74, 103.)

INDIANS:--Petition of Mohawks, Bay of Quinté, for disposal of the whole tract of land included in their agreement with the Government, (131) 733, (146) 806. Petition of Henry Brant, and others, of Six Nations Indians, for relief respecting the Navigation of the Grand River, (372) 2214, (378) 2294.

-----Vide also Addresses, (95.); Elective Franchise; Journals.

INDUSTRIAL FARM:--Vide Toronto Industrial Farm.

INSANE:--Petition of Rev. L. Doolittle, and others, district of St. Francis, for aid in support of the Insane of said district, (22) 217, (33) 265. Petition of Pierre Vezina, for the erection of a Lunatic Asylum in town of Three Rivers, (44) 329, (53) 368. Petition of Hon. James Reid, and others, for grant to erect a Lunatic Asylum for Lower Canada, (80) 484-485, (94) 553. Petition of James Breakenridge, that Asylums be provided for the Insane and others, (169) 948, (177) 986. Petition of Municipal Council, district of Simcoe, for relief for a destitute Idiot Child, (216) 1208, (225) 1273.

-----Reports of Commissioners for relief of Insane Persons, &c., for district of Quebec, laid before the House, (51) 363.

-----Vide also Addresses, (97.); Municipal District Of Simcoe.

INSOLVENT DEBTORS:--Bill to repeal part of the Insolvent Debtors' Act. Notice of Motion, 147. House resolves to go into Committee to consider, of in part repealing 6 Will. IV, cap. 4, relating thereto, (43) 312. Considered, (44) 312-315, (205) 1145-1146. Resolution reported and agreed to, (205) 1146. Infra.

-----Bill to afford relief to Insolvent Debtors. Notice of Motion, 44. Bill presented and read, (205) 1146. Read second time; To be engrossed, (228) 1281. Passed, (231) 1294. By the Council, (239) 1374. Royal



Assent, (370) 2205. (8 Vic., cap. 17.)

-----Bill for relief of Insolvent Debtors, presented and read, (171) 955. Read second time, (209) 1169. Referred, (209) 1169-1171. Reported; Committed, (277) 1619. Considered, (291) 1681-1682. Reported, (308-309) 1827-1828. Passed, (311-312) 1847. By the Council amended, (352) 2119. Amendment considered and agreed to, (356) 2142-2143. Royal Assent, (440) 2571. (8 Vic., cap. 48.)

INSPECTION OF TIMBER:--Vide Lumber.

INSURANCE:--Petition of President and Directors of Mutual Fire Insurance Co., of county of Montreal, for amendments of the Laws relating thereto, (22) 217, (34) 266. Referred, (54) 371. Bill reported and read, (338) 1993. Read second time; Committed; Considered; Reported, (424) 2512. Passed, (433) 2543. By the Council, (437) 2561. Royal Assent, (440) 2569. (8 Vic., cap. 84.)

-----Statement of Insurance Offices ordered, (128) 720. Returns of British America Fire and Life Assurance for 1844, (181) 1013. Of Canada Fire Assurance, (182) 1018. Of Montreal Fire, Life, and Inland Navigation Assurance Company, (281) 1643. Of St. Lawrence Inland Marine Insurance Company for the year, 1844, (355) 2140.

-----Petition of Home District Mutual Insurance Company, for authority to any member of said Company to give evidence in a suit at Law, when not individually interested, (176) 982, (188) 1051. Referred, to Committee on Private Bills, (190) 1055. Report, (204) 1138.

INTESTATE ESTATES:--Bill for the more equal distribution thereof. Notice of Motion, 44. Bill presented and read, (18) 156. To be read second time in six months, on division, (220) 1225-1240.

J

JESUITS' ESTATES:--Petition of Mayor and Corporation of Quebec, for authority to purchase certain parts of said Estates, (23) 219, (36) 271. Referred, (56) 388.

JOHNSTOWN DISTRICT:--Bill to provide for Collection of Arrears of Taxes in said District, presented and read, (285) 1657-1658. Read second time; Committed; Considered, (358) 2149. Reported, (365) 2178. Passed, (366) 2193. By the Council, (385) 2326. Royal Assent, (439) 2566. (8 Vic., cap. 64.)

JOINT ADDRESSES:--Vide Addresses, (5, 8.)

JOURNALS:--Read: On Report on Petition of Jacob Glen, René Boileau, and others, of Session of 1841; Referred to Committee on Petition of M. F. Valois, and others, (83) 493. Vide Roads And Bridges. On Petition of

William Rea, and others, presented 21 Sept. 1842; Referred, (183) 1024. Vide Limits And Division. On appointment of Select Committee on Indian Lands, 20 October 1843, (218) 1214-1215. Referred, (219) 1215. On Petition of Donald Cameron, 12 April 1836, (257) 1501. Vide Cameron, Donald. On Petitions of Anthony Manahan, of 1840 and 1841, (274) 1595-1596. Vide Manahan, Anthony. On Petition of Municipal Council, district of Niagara, (285) 1657. Vide Niagara District.

-----Vide also Religious Societies.

JUDGES OF QUEEN'S BENCH:--Vide Governor General, Messages From His Excellency, (15.)

JUDICATURE:--Vide Administration Of Justice.

JUDICIAL SALES OF LAND:--Bill for securing Enchères, or Biddings, and to determine the days of Adjudication in Judicial Sales of Land, presented and read, (279) 1630. Read second time; Postponed to next Session, 2473.

JURISPRUDENCE:--Petition of A. Campbell, Jr., and others, for appointment of Professor at Quebec, to give Public Lectures in Jurisprudence and practice of the Law, (80) 485, (94) 553. Referred, (178) 988.

JURORS:--Petition of James Breakenridge, that juries be paid for their time in Court, (169) 948, (177) 986.

-----Bill to amend the Laws of Upper Canada, respecting Jurors. Notice of Motion, 23. Bill presented and read, (28) 235-236. Read second time; Referred, (143) 794-795.

-----House resolves to go into Committee to consider of remunerating Petit Jurors at Courts of Queen's Bench and Quarter Sessions, (219) 1221. Considered, (219) 1222-1223.

JUSTICES' OATH ADMINISTRATION:--Bill to provide for, presented and read, (2) 14.

K

KEELE, WILLIAM C.:--Petition of, for a favourable mark of distinction for publishing the work called "Provincial Justice," (92) 549, (99) 601.

KELLY, WILLIAM MOORE:--Vide Addresses, (99.)

KENT COUNTY:--Petition of George Stevenson, and others, that the Northern townships in said County be formed into a separate district, (10) 60, (18) 154. Referred, (88) 533. Vide Haldimand County.

-----Vide also Elections, Writs Issued During The Session.

KERR, HON. JAMES:--Petition of, for a pension for long services as a Judge

in Court of King's Bench, (182) 1019, (194) 1098.

KING'S COLLEGE:--Vide Universities.

KING'S POST:--Vide Addresses, (20.); Fish And Fisheries.

KINGSTON:--Petition of Ven. George Okill ((or O'Kill)) Stuart ((or Stewart)), L. L. D., and others, that Lot No. 24, in township of Kingston, be not included in the limits of town of Kingston, (33) 264, (47) 338. Referred, (288) 1670. Petition of Municipal Council, Midland District, also referred, (293) 1690. Report, (304-305) 1806-1808. Infra. To be printed, (306) 1811-1812.

-----Petition of Municipal Council, Midland District, that said Council have control of the district Taxes, collected in the town of Kingston, and that members of district Council be exempted from serving on Juries, (263) 1548, (276) 1618. Referred, (276-277) 1618-1619. Report, (290) 1674. Infra.

-----Petition of Mayor and Corporation, for an extension of the limits of said Town, &c., (274) 1594, (281) 1644. Of James Kerr, (of Kingston), and others, the same, (311) 1846, (324) 1928. Petition of Municipal Council, Midland District, against the Petition of Mayor and Corporation, (288) 1668, (293) 1689. Referred, (293) 1690. Supra.

-----Bill to repeal a certain provision of the Act of Incorporation, and to provide for assessment and collection of Taxes in said Town by the District Council of Midland District, presented and read, (297) 1745. Read second time; Committed; Considered, (344) 2025. Reported, (347) 2057. Passed, (350) 2112-2113. By the Council, (357) 2147. Royal Assent, (440) 2568. (8 Vic., cap. 61.)

-----Bill to amend the Act incorporating the town of Kingston, presented and read, (305) 1808. Read second time, (411) 2465-2468. Vide Questions Negatived, (61.) Committed; Considered, (411) 2468. Reported, (418) 2493-2494. Vide Questions Negatived, (64.) Passed, (420) 2500. Petition of Rev. George Okill ((or O'Kill)) Stuart ((or Stewart)), L. L. D., and others, against the Bill, (354) 2135, (367) 2196.

L

LA BAIE DU FEBVRE:--Vide Addresses, (85.)

L'ACADIE, COUNTY:--Vide Gaols And Court Houses.

LA COMMUNAUTE DES SOEURS DE SAINTS NOMS DE JESUS ET MARIE:--Bill to incorporate the same, presented and read, (128) 719-720. Read second time; Committed, (186) 1036. Considered; Reported, (207) 1157. Passed, (210) 1176-1177. By the Council, (251) 1442. Royal Assent, (370) 2204-2205. (8 Vic., cap. 101.)

LACROIX, PIERRE, AND JOSEPH BOLDUC:--Petition for annual pension in consideration of past services as Messengers to Legislative Council of Lower Canada, (40) 300, (53) 367.

-----Vide also Governor General, Messages From His Excellency, (16.)

LAFLECHE, LOUIS RICHARD ((OR RICHER)), AND LOUIS GUILLET:--Petition of, to be indemnified for loss in building a bridge over the River St. Anne, (33) 263, (46) 335.

LANDHOLDERS:--Bill to relieve certain Landholders in district of Gaspé. Notice of Motion, 23. Bill presented and read, (9) 40. Read second time; Referred, (143) 792. Reported with Evidence, (183-185) 1024-1029. To be printed, (185) 1029. Bill Committed; Committal discharged, (227) 1279.

LAND SCRIP:--Vide Militia.

LAND TAXES:--Petition of Municipal Council, district of Simcoe, for removing doubts on sales of land for taxes, (9) 50, (14) 111, (341) 2015, (351) 2114. Petition of the same, for Tax on Lands of Non-Residents and Canada Company, (341) 2015, (351) 2114.

-----Bill for Collection of Land Taxes in Wellington District, presented and read, (38) 289. Read second time; Committed, (59) 399. Considered, (75) 463. Reported, (128) 722. Ryder, (138) 774. Passed, (138) 775. By the Council, (183) 1020. Royal Assent, (242) 1391. (8 Vic., cap. 22.)

-----Bill to remove doubts for liability of certain lands in Upper Canada, to be charged with local taxes, presented and read, (233) 1299. Read second time; Committed; Considered, (272) 1587. Reported; Re-committed, (274) 1597. Considered, (295) 1707. Committal discharged; Bill referred, (305) 1809. Reported; Committed, (381) 2304. Considered, (410) 2462. Reported, (417) 2491. Passed, (418) 2493. By the Council, (432) 2542. Royal Assent, (440) 2569. (8 Vic., cap. 58.)

LANDS, PUBLIC:--Bill to amend the Act for disposal of Public Lands. Notice of Motion, 43. Bill presented and read, (10) 53. Motion for second reading considered, ((10)) 54-55. Read second time; Referred, (59) 397-398. Petitions of John R. Gemmill; of John Smith; of George Shaw; and of M. Héroux, and others, also referred, (88) 533, (167) 904, (313-314) 1854, (317) 1899. Bill reported; Committed, (337) 1992. Considered, (377) 2288-2290, (428) 2526-2528, 2529.

-----Committee appointed to enquire into the method of disposing of Crown, Clergy, and School Lands, &c., (105) 620-621. Addition to Committee, (257) 1502. Report, (337) 1988. Committed, (337) 1988-1991. To be printed, (337) 1991-1992. Considered; No Report, (409) 2461.

-----Petition of John G. Weir, and others, for vesting certain Public Lands in Municipal Council, Western District, (99) 600, (132) 736.

-----Petition of Robert Atchison, and others, for reduction in price of Government Lands, (231) 1293, (235) 1326.



-----Vide also Addresses, (30, 81, 106.); Crown Lands; LaRue, A., And Others; Militia; Nominees Of The Crown.

LA NOUVELLE FRANCE:--Vide Ancient Archives.

LARUE, A., AND OTHERS:--Petition of, for relief for trespass by Agents of Crown Lands, (4) 26, (12) 65. Referred, (27) 231-232.

LASSISERAYE, CHARLES H.:--Petition of, for arrears of Salary as a teacher at Three Rivers, (60) 411, (88) 532.

L'ASSOMPTION:--Vide Colleges.

LAW:--Vide Practice Of The Law.

LAW SOCIETY:--Petition of Andrew N. Buell, and others, for amendment to Acts of Upper Canada respecting the Law Society, (275) 1616, (288) 1669. Referred, (288) 1670. Vide Practice Of The Law.

LAWS:--Petition of N. B. Doucet, Montreal, for aid to print an elementary work on the Laws of Canada, (40) 300, (53) 367.

-----House resolves to go into Committee to consider of repealing the Laws in force, on distribution of the Printed Laws, and substituting other provisions therefor, (299) 1766. Considered, (339-340) 2001. Resolution reported and agreed to, (340) 2002.

-----Bill to repeal the Laws on distribution of the Statutes, and substituting other provisions, presented and read, (340) 2002. Read second time; Committed; Considered, (357) 2147. Reported, (357) 2147-2148. Passed, (360) 2163. By the Council, (370) 2203. Royal Assent, (439) 2566. (8 Vic., cap. 68.)

LEATHER:--Vide Duties.

LEEDS COUNTY:--Vide Elections, Controverted, Leeds County.

LEGAL RECOURSE:--Vide Claims On Government.

LEGARE, JOSEPH, JR.:--Letter from Joseph Legaré, Jr., to Mr. Speaker, respecting a Portrait of Her Majesty, (243) 1393-1394. Referred to Committee on Contingencies, (251) 1440.

LEGISLATIVE ASSEMBLY:--Attend His Excellency in the Council Chamber, (1) 1, (2) 13, (87) 529, (242) 1391, (370) 2204, (439) 2566.

-----Directed to choose a Speaker, (1) 1.

-----Waited upon His Excellency with Addresses, (30) 253, (87) 529, (220) 1244, (307) 1819, (428) 2528.

-----Resolution to call the House, (55) 376. Called over, (98-99) 598-599.

-----Adjourn for want of a Quorum, (193) 1094, (275) 1611-1612.

- Adjourn to future days, (55) 373-376, (58) 391-393, (233) 1307. Vide Questions Negatived, (7.)
- Notice of Motion for House to meet at 10 o'clock a. m., 1591. Motion, ((290)) 1675-1676. Withdrawn Motion, ((290)) 1676.
- Motion for the House to sit on Saturdays; Withdrawn Motion, 2010.
- Adjourn to particular hours on future days, (2) 10, (85) 519, (365) 2177, (381) 2304. Vide Questions Negatived, (7.)
- Adjourn till 10 o'clock, the remainder of the Session, (374) 2218.
- Adjourn to particular hours on the same day, (193) 1095, (197) 1106, (232-233) 1299, (258-259) 1518, (275) 1598-1599, (323) 1927, (329) 1953, (342) 2020, (369) 2203, (376) 2281, (382) 2308, (385) 2325, (387) 2363, (399) 2422, (407) 2453, (418) 2492, (428) 2528, (437) 2559.
- Names taken on division: Affirmative, (1-2) 8-9, (21) 208, (36) 281-282, (50) 354, (55) 375-376, (58) 393, 395, (60) 410, (84) 514-515, (98) 596-597, (139) 780-781, (148) 831, (169) 937-938, (170) 952-953, (172) 960-961, (180) 1003, (191) 1069, 1070, (191-192) 1071, (205) 1142, (206) 1151, 1153-1154, (207) 1156, (215) 1193, (218) 1213-1214, (220) 1239, (237-238) 1352, (243) 1401, (253) 1483-1484, (254) 1486, 1487, (258) 1518, (263) 1549-1550, (265) 1560, (279) 1626, (280) 1634, 1635, (293) 1689-1690, (296) 1741, (309) 1837, (310) 1840-1841, (311) 1841, (313) 1851-1852, (330) 1962, (337) 1991-1992, (346-347) 2056, (349) 2103-2104, (354) 2134-2135, (358) 2152, (360) 2162, (367) 2194-2195, (371) 2210, (371-372) 2210-2211, (372) 2215, (374) 2272, (399) 2421-2422, (400) 2427, (408) 2458, (418) 2492, (419) 2496, (426) 2520, (429) 2530-2531, (432) 2540.
- Names taken on division: Negative, (16) 116, (20) 205-206, (29) 239, (44) 328, (58) 392, (59) 397, (60) 410, (96) 578-579, (122) 701, (148) 824, (172) 961-962, 962, (181) 1011, 1011-1012, (182) 1014-1015, (187) 1040, (209) 1167, 1168, (225) 1271, (240) 1377, 1379, (241) 1382, 1383, (253) 1483, (254) 1486-1487, (288) 1669-1670, (308) 1826, (309) 1830-1831, 1836, (310) 1839, 1839-1840, 1840, (312) 1848, 1848-1849, 1849, 1850, (312-313) 1851, (321-322) 1917, 1918, 1919, (326) 1934, 1934-1935, (329) 1955, 1956-1957, (340) 2005, (342) 2018, (352) 2117-2118, (355) 2139, (359) 2154, 2154-2155, (367) 2194, (371) 2208-2209, 2209, (372) 2214-2215, (373) 2216, (374) 2271, (376) 2287, (383) 2315-2316, (399) 2419, 2419-2420, 2421, (399-400) 2426, (400) 2428, (407) 2455, (407-408) 2455-2456, (411) 2467-2468, (412) 2471, 2471-2472, (413) 2477-2478, (419-420) 2499-2500, (420) 2500, 2501-2502, (429) 2532, (432) 2540.
- Decide on Mr. Speaker's decision, (265) 1560.
- House resolves to go into Committee to consider of amending Act, securing freedom of Election of Legislative Assembly, (74) 460-461. Considered, (148) 826-830. Resolution reported and agreed to, on division, (148) 830-831.
- Bill to amend Act of Upper Canada, for better securing the Independence of the Legislative Assembly. Notice of Motion, 939. Bill presented and read, (185) 1030-1031. Order for second reading, (185) 1031. Motion for second reading, 1423-1435. Withdrawn Bill, 1435.
- Despatch on reserved Bill of last Session, securing the Independence

of the Legislative Assembly, (65) 427.

-----Vide also Officers And Clerks Of The House; Parliament House.

LEGISLATIVE COUNCIL:--Despatch on reserved Bill at last Session, securing the Independence of the Legislative Council, (65) 426.

-----Conference with. Vide Militia.

-----Vide also Bills From Legislative Council; Governor General, Messages From His Excellency, (16, 26.)

LEGISLATIVE COUNCIL, MESSAGES FROM:--With Bills of their own. (300) 1783, (308) 1826.

-----Assenting to Bills from the Assembly without amendment, (53-54) 369, (80) 483-484, (171) 953, (177) 987, (183) 1020, (211) 1180, (218) 1212-1213, (221) 1247, (239) 1374, (251) 1442, (253) 1476, (256) 1498, (259) 1523, (279) 1627, (285) 1656-1657, (289) 1671, (297) 1744, (300) 1783, (328) 1947, (352) 2119, (355) 2140, (357) 2147, (361) 2165, (369-370) 2203, (373) 2216-2217, (376) 2281, (385) 2326, (387) 2363-2364, (400) 2429, (420) 2502, (432) 2541-2542, (436) 2555-2556, (437-438) 2560-2561.

-----Assenting to Bills with amendments, (221) 1248, (253) 1476, (256) 1498, (285) 1657, (289) 1671-1672, (295) 1697, (297) 1744, (303) 1804, (328) 1947, (331) 1963, (352) 2119, (355) 2140, (361) 2166, (376) 2282, (385) 2326, (387) 2364, (400) 2429, (408) 2456, (432) 2542, (436) 2556, (437-438) 2561-2562.

-----Assenting to Address to Her Majesty on using the French Language, (300) 1783.

-----With an Address to His Excellency, to transmit Addresses to Her Majesty on the subject of the French Language, (300) 1784. Vide Addresses, (5.)

-----With Minutes of Evidence on Bill for Divorce of Capt. Henry William Harris, (328) 1948.

-----Agreeing to amendment of Legislative Assembly to amendments of Council to Bill, regulating the Culling and Measuring of Timber, &c., (408) 2456-2457.

-----Agreeing to Petitions to Her Majesty and the Imperial Parliament, on importation of goods in Foreign Vessels, &c., (420-421) 2502-2504.

-----Agreeing to a Conference on their amendments to the Militia Bill, (434) 2546.

-----Agreeing to Address on subject of Schooner "Lord Nelson," (434) 2546-2547. Vide Addresses, (8.)

LEGISLATIVE COUNCIL, MESSAGES TO:--Communicating the proceedings of Committee, and Orders of Assembly, on the subject of the amendments by the Council to the Religious Societies Bill of last Session, (63) 418.

-----Requesting attendance of Honourable Members of the Council, before Committees of Legislative Assembly to give Evidence, (208) 1165, (352) 2118. Leave granted, (211) 1180, (352-353) 2120.

-----Communicating Address to the Queen, respecting using the French Language in Public Documents, and requesting concurrence thereto, (290)

1674. Agreeing to Address to His Excellency, to transmit the same, (305) 1810.

-----Requesting Minutes of Evidence on Bill for Divorce of Capt. Henry William Harris, (317) 1864. Returning the same, (367) 2195.

-----Requesting Concurrence to Petitions to Her Majesty and Imperial Parliament, on subject of importation of goods in Foreign Vessels, (407) 2452.

-----Requesting Concurrence to Address to Her Majesty, on Petition of Hon. James Crooks, (416) 2487.

LEGISLATIVE COUNCIL, SPEAKER OF:--Bill to grant a sum of money for, presented, read twice and engrossed, (433) 2542. Passed, (434) 2548. By the Council, (436) 2556. Royal Assent, (441) 2574. (8 Vic., cap. 73.)

-----Message from His Excellency with Address of Council, on Salary of Speaker of that Honourable House, (401) 2430-2431.

LEGISLATIVE RECORDS:--Select Committee to consider and report on best method of completing the series of Legislative Records of Upper Canada, (274) 1595.

LEINSTER COUNTY:--Petition of Amable Archambeault ((or Archambault)), and others, that no alterations be made in the limits of said County, (201) 1129, (210) 1177.

LEMOINE, WILLIAM HENRY:--Petition of, for payment of certain expenses as Returning Officer for county of Montmorency, (33) 263, (46) 336.

-----Vide also Beauharnois Returning Officer.

LES SOEURS DE LA CONGREGATION NOTRE DAME DE MONTREAL:--Petition of the Religious Ladies of the Congregation of Our Lady of Montreal, praying to be empowered to hold property, (33) 263, (48) 340. Referred, (56) 388. Reported, (83) 491.

-----Bill to enable the Religious Ladies thereof to hold additional property, presented and read, (133) 740. Read second time; Referred to Committee on Private Bills, (187) 1037. Reported, (232) 1296. Committed, (253) 1475. Considered; Reported, (273) 1589. Passed, (274) 1594-1595. By the Council, (285) 1657. Royal Assent, (370) 2204. (8 Vic., cap. 99.)

LIBRARY:--Report of Librarian, (9) 50.

-----Standing Committee appointed to assist Mr. Speaker in the direction of the Library, and to report from time to time, (96) 566. FIRST REPORT, (203-204) 1133-1137. Concurred in, (232) 1297. SECOND REPORT, (378-380) 2294-2301. Concurred in, (384) 2321.

-----Mr. Speaker to make arrangements for more convenient access to the Library, (413) 2478.

LICENSES:--Vide Administration Of Justice; Duties.



LIGHT HOUSES:--Petition of William Sweetman ((or Swetman)), Keeper of Light House at Presque Isle Point, for increase of Salary, (14) 110, (24) 222. -----Vide also Addresses, (89.); Logan, Richard.

LIMITATION OF ACTIONS:--Bill for Limitation of Actions, avoiding Suits at Law in Lower Canada, presented and read, (232) 1298. Read second time; Committed, (280) 1631. Considered, (410-411) 2465. Reported, (411) 2465. Passed, (413) 2476. By the Council, (432) 2541. Royal Assent, (439) 2567. (8 Vic., cap. 31.)

LIMITED PARTNERSHIPS:--Bill to authorize the formation of Limited Partnerships in this Province, presented and read, (219) 1221. Read second time, (279) 1630. Referred, (279) 1630-1631.

LIMITS AND DIVISIONS:--Petition of Municipal Council, district of Talbot, to define Limits of townships of Walpole, Woodhouse, and Townsend, (3) 20, (8) 38. Referred, (167) 904.

-----Notice of Question concerning Government's intention to introduce Bill to improve division of Upper Canada into counties, 57.

-----Bill for better defining the Limits of Counties and Districts in Upper Canada. Notice of Motion, 379, 561. Bill presented and read, (133) 740. Read second time; Referred, (172) 957. Petitions also referred to same Committee: Of John Arthurs, and others, (178) 988. Of Richard W. Branan, and others; of David Griffin, and others, (183) 1023. Of William Rea, and others, (183) 1024. Bill reported; Committed, (195) 1101. Considered, (209) 1167-1168. Reported, (209) 1168. Vide Questions Negatived, (20.) Passed, (211) 1178. By the Council amended, (221) 1248. Amendments considered, (222) 1251-1252. Agreed to, (222) 1252. Royal Assent, (242) 1392. (8 Vic., cap. 7.)

-----Vide also Province Line.

LINCOLN COUNTY:--Vide Elections, Controverted, Lincoln County.

LINE FENCES AND WATER COURSES:--Bill to regulate the same in Upper Canada, presented and read, (171) 953. Read second time; Committed, (205) 1144. Considered, (205) 1144-1145, (228) 1281. Reported, (233) 1300-1301. Passed, (234) 1324. By the Council, (256) 1498. Royal Assent, (370) 2205. (8 Vic., cap. 20.)

LOAN AND TRUST:--Vide Trust And Loan.

LOGAN, RICHARD:--Petition of, for payment of a sum due him for building the Light House at Presqu'Isle, (311) 1846, (324) 1928.

LONDON MECHANICS' INSTITUTE:--Petition of President and Members, for aid, (93) 551, (100) 603.

LONDON TOWN:--Petition of Alexander Anderson, and others, for amendments

to Act of Incorporation, (125) 710, (132) 737.. Petition of James Farley, and others, against amendments to Act of Incorporation, (145) 804, (170) 949.

LONGUEUIL AND CHAMBLY TURNPIKE ROAD:--Vide Addresses, (58.)

LONNEY, JAMES:--Vide Governor General, Messages From His Excellency, (18.)

LOSSES:--Vide Claims For Losses During Late Rebellion; Claims For Losses During Late War.

LUMBER:--Petitions for amendments to Act on Inspection and Measurement of Timber: Of Alexis Dorval, and others, (3) 19, (5) 30. Of John P. Waterson, and others, (3) 19, (5) 30. Of Messrs. Hamilton and Low, and others, (22) 218, (34) 267. Of Quebec Board of Trade, (44) 329, (53) 368.

-----Petitions against amendments to Act; of Ruggles Wright, and others; of John Curtain, and others, (193) 1096, (202) 1132.

-----Petitions referred, (15) 113, (36) 282, (54) 371, (81) 487, (202) 1133. Addition to Committee, (190) 1056. Bill to regulate Culling, &c., referred to same Committee, (295) 1698. Report, (337) 1992. Infra.

-----Bill to regulate the Culling and Measurement of Timber, &c., and to repeal Act 7 Vic., cap. 25, presented and read, (237) 1332. Read second time; Referred, (295) 1698. Supra. Reported; (337) 1992. Committed, (337) 1993. Considered, (369) 2202-2203, (370-371) 2206-2207. Reported, (374) 2219. Passed, (377) 2292. By the Council amended, (387) 2364. Amendments read, (388-389) 2384-2385. Committed; Considered; Amendments amended, (389) 2385. Passed, (402-403) 2440. Amendment to amendments agreed to by Council, (408) 2456-2457. Royal Assent, (439) 2467. (8 Vic., cap. 49.)

-----Receipts and Disbursements of Supervisor of Cullers of Lumber, for 1844, laid before the House, (51) 363. To be printed, (54) 372.

-----Vide also Addresses, (13, 66.); Duties.

LUNATIC ASYLUM:--Vide Insane.

LUTHERANS:--Petition of Conrad Frymer, and Henry Merklie, for compensation for their Church and Property in township of Williamsburg, which was granted to the Church of England, (210) 1175, (221) 1246.

M

MACADAMIZED ROADS:--Notice of Question concerning Government's intention to introduce Bill relating to Macadamized Roads in the Home District, 23. Question; Answer, 47.

-----Motion to refer a petition for the establishment of a Macadamized Road in Terrebonne County; Withdrawn Motion, 630.

-----Bill to repeal a certain part of an Act of Upper Canada, relative to

Macadamized Roads, presented and read, (136) 748. Read second time, (187) 1037-1038. Engrossed, (187) 1038. Passed, (188) 1050. By the Council, (218) 1213. Royal Assent, (242) 1391-1392. (8 Vic., cap. 23.)  
 -----Vide also Roads And Bridges.

MACCUAIG ((OR M'CUAIG)), MRS. EFFY, AND OTHERS:--Petition of, for adjustment of division line between New Longueuil and Lancaster, (14) 110, (23) 220. Referred, (31) 255.

MACDONALD ((OR M'DONALD)), ALEXANDER:--Petition of, for an appointment as a Committee Clerk in the Legislative Assembly, (22) 217, (33) 265. Referred to Committee on Contingencies, (57) 388. Report, (257) 1500.

MAISON DE LA PROVIDENCE:--Petition of Mrs. Monique S. Boucher, and others, for aid to said Institution, (80) 484, (94) 553.

MALLOCK ((OR MALLOCH)), EDWARD:--Petition of, for confirmation to certain lots of land in Bytown, (243) 1392, (252) 1473. Referred, (298) 1763. Vide Sparks, Nicholas.

MANAGEMENT OF CUSTOMS:--Vide Duties.

MANAHAN, ANTHONY:--Entries of JOURNALS in 1840, and also in 1841, relating to his Petition, read, (274) 1595-1596.

MANUFACTURES:--Petition of A. T. Galt, and others, to be incorporated as a Cotton Factory, at Sherbrooke, (3) 20, (8) 38. Referred, (15) 112. Report, (18) 154. Infra. Petition of Thomas Miles, and others, to be incorporated as the Chambly Cotton Manufacturing Company, (33) 263, (46) 335. Infra. Petition of Richard Brown (of Cayuga), and others, for extension of Charter of Cayuga Glass Factory, (44) 328, (53) 367. Referred, (133) 739. Report, (203) 1133. Infra.

-----Bill to incorporate the Sherbrooke Cotton Factory, presented and read, (19) 156. Read second time; Referred, (51) 355. Reported, (135-136) 746. Committed, (136) 746. Considered, (181) 1005-1010. Reported, (181) 1010-1012. Passed, (188) 1050. By the Council amended, (285) 1657. Amendments of Council considered, (290) 1676-1677. Agreed to, (291) 1677. Royal Assent, (440) 2570. (8 Vic., cap. 91.)

-----Bill to incorporate the Chambly Cotton Manufacturing Company, presented and read, (134) 743. Read second time; Referred to Committee on Private Bills, (215) 1196. Reported, (290) 1674-1675. Committed, (290) 1675. Considered, (329) 1950-1952, 1953-1954. Reported, (329) 1954. Passed, (341) 2016. By the Council, (385) 2326. Royal Assent, (440) 2570. (8 Vic., cap. 92.)

-----Bill for extension of Charter of Cayuga Glass Factory, presented and read, (203) 1133. Motion for second reading, now, negatived, on division, (240) 1377-1378.

MARCHAND, GABRIEL:--Petition of, for remuneration as Commissioner on Contested Election for county of Missisquoi, in 1831, (169) 948, (177) 985. Another petition, the same, (323) 1925, (331) 1963. Referred to Committee of Contingencies, (331) 1964. Report, (424-425) 2517. Resolution, (426) 2521.

MARINERS:--Bill to provide relief to poor Seamen. Notice of Motion, 23.  
 -----House resolves to go into Committee to consider of amending Act of Lower Canada, providing for treatment of sick Mariners, (92) 544. Considered; Resolution reported and agreed to, (171) 956.  
 -----Bill to amend Act of Lower Canada, 6 Will. IV, cap. 35, providing for medical treatment of sick Mariners, presented and read, (171) 956-957. Read second time and engrossed, (200) 1121. Passed, (202) 1130-1131. By the Council, (218) 1213. Royal Assent, (242) 1391. (8 Vic., cap. 12.)

MARRIAGE LICENSE FEE FUND:--Bill relating thereto. Notice of Motion, 23. Bill presented and read, (9) 41. Read second time, on division, (172) 958-961. Referred, (172) 961-962. Reported with Evidence, (281-284) 1645-1655. Committed; To be printed, (284) 1655. Considered, (300) 1785-1791. No Report.

MARRIAGES AND BIRTHS:--Vide Gaspé District; Matrimony.

MASKINONGE COMMON:--Petition of François Boucher, and others, for amendments in Act of Incorporation, (350) 2112, (360) 2164. Referred, (360) 2164.

MATRIMONY:--Petition of James Breakenridge, that the right to solemnize matrimony be not extended to every denomination, (169) 948, (177) 986.

MATTHEWMAN ((OR MATTHEWSON)), BENJAMIN, AND OTHERS:--Petition of, for a grant of certain lands, (137) 770, (166) 902.

M'BEAN ((OR MCBEAN)), ARCHIBALD:--Motion to refer his petition for compensation, 380-383. Withdrawn Motion, 383.

M'BEAN, JOHN:--Petition of, for remuneration for a Lock constructed at Coteau du Lac, (40) 300, (52) 366. Referred, (101) 605-607. Addition to Committee, (306) 1811. Report, (403) 2441.

MCGILL COLLEGE:--Vide University.

MECHANICS' INSTITUTES:--Vide London Mechanics' Institute; Montreal Mechanics' Institute.

MEDICAL SCHOOLS:--Vide Montreal Medical College; Quebec Medical School.



MEDICINE, SURGERY, AND MIDWIFERY:--Bill to regulate the Study and Practice of, presented and read, (171) 954. Read second time; Referred, (209) 1167. Petition of Oliver Odell, and others, also referred, (331) 1964. -----Petition of Oliver Odell, and others, on the above Bill, (317) 1898. (327-328) 1946. Referred, (331) 1964. Supra.

MEETINGS OF RELATIONS:--Vide Administration Of Justice.

MEGANTIC COUNTY:--Vide Elections, Controverted, Megantic County.

MEMBERS:--Vide Clerk Of The Crown In Chancery; Legislative Assembly.

-----List of, to serve in present Parliament, vii-ix.

-----Take oath and their Seats, (1) 1, (4) 26, (92) 549, (97) 593, (182) 1018, (201) 1129, (296) 1733.

-----Added to Committees, (36) 282, (56) 377, (62) 415, (89) 533-534, (128) 721-722, (133) 738, (136) 747, (190) 1056, (218) 1213, (221) 1247, (232) 1297, (250) 1439, (257-258) 1502, (262) 1539, (274) 1595, (279) 1627, (299) 1765-1766, (304) 1805, (306) 1810, 1811, (316) 1863, (352) 2116.

-----Leave of Absence, (90) 539, (91) 539, (196) 1104, (197) 1106, (233) 1300, (246) 1409, (279) 1630, (291) 1683, (307) 1820, (317) 1864, (339) 2000, (385) 2322, (386) 2360.

-----Absence excused on Election Committees, (131) 732, (136) 747, (137) 771, (144) 803, (145) 803, (166) 901, (167) 903, (170) 951, (231) 1293, (257) 1501, (260) 1524, (269) 1578, (294) 1696, (318) 1899, (327) 1944, (339) 1996, (345) 2033, (359) 2158, (370) 2204.

-----Vacate their Seats, (196) 1104.

-----To attend in their places, (325) 1931, (341) 2015, (350) 2112, (354) 2137, (369) 2200, (372) 2213.

-----Attend in their places, (327) 1944, (345) 2033, (353) 2134, (359) 2158, (370) 2203.

-----Taken into Custody, on division, (353) 2134. Reprimanded by Mr. Speaker, (353-354) 2134-2135.

-----To appear as Counsel at the Bar in support of a Bill, (408) 2457.

-----Appropriation to Members. Vide Addresses, (115.); Questions Negatived, (65.); Sessional Allowance.

MERCHANT SEAMEN'S SOCIETY:--Petition of William Donaldson, and others, of Kingston, to be incorporated as such Society, (231) 1293, (235) 1326. Referred, (235) 1327.

MESSAGES:--Vide Governor General, Messages From His Excellency; Legislative Council, Messages From; Legislative Council, Messages To.

M'GOWAN, PATRICK:--Petition of, for grant of Scrip for past services, (22) 218, (34) 267. Referred, (43) 311.

M'GREGOR, ALEXANDER:--Petition of, for grant for past services as a

Sergeant of 71st Regiment, (225) 1270, (234) 1325.

MIDDLESEX COUNTY:--Vide Elections, Controverted, Middlesex County.

MILITIA:--Petition of James Breakenridge, that a grant of land be made to those who served in the Militia during the late Rebellion that the Militia be rendered more efficient, and Provincial Regiments be organized, (169) 948, (177) 986. Petition of John Burwell, that a grant of land be made to those who served in the Militia during the late Rebellion, (255) 1496, (264) 1556. Of Capt. Dunham Jones, and others, the same, (372) 2213, (377) 2292.

-----Notice of Question concerning Upper Canada Militia, 400.

-----Bill to revive and continue the Militia Ordinance of Lower Canada, and suspend the Militia Law of Upper Canada, presented and read, (385) 2322. Read second time; Committed; Considered; Reported, (401) 2430. Passed, (402) 2439. By the Council amended, (432) 2542. Amendments of Council not agreed to, (433) 2543-2544. Committee to draw up reasons to offer to Council at a Conference on said amendments, (433) 2544. Reasons, (433) 2544-2545. Conference desired, (433) 2545. Agreed to, (434) 2546. Managers, (434) 2548. Council do not insist on their amendments, (436) 2556. Royal Assent, (441) 2571. (8 Vic., cap. 51.)

-----Vide also Addresses, (17, 30, 80.); Forbes, George; Grant, James L.; M'Gowan, Alexander; M'Gowan, Patrick.

MILL DAMS:--Bill to provide Aprons to Mill Dams on Streams in Upper Canada, presented and read, (246) 1408-1409. Read second time; Committed, (410) 2464. Considered, (410) 2464-2465. Reported, (418) 2491. Passed, (423) 2508. By the Council, (437) 2560. Royal Assent, (440) 2568. (8 Vic., cap. 66.)

-----Vide also Fish And Fisheries.

MILL OWNERS:--Petition of Henry Burritt, and others, for protection from certain Law Suits as Mill Owners, (56) 387, (81) 486. Referred, (89) 534. Report, (325) 1932. Infra.

-----Bill to afford relief to owners of Mill Dams in Upper Canada, presented and read; Order for second reading, (325) 1932.

MILLE ROCHES:--Vide Addresses, (100.)

MINISTRY:--Notice of Motion for Censure of Ministry, 588.

MISSISQUOI DISTRICT:--Petition of Municipal Council, that said District be re-established, before passing the Judicature Act, (60) 411, (88) 531.

M'LAREN ((OR MACLAREN)), JAMES:--Petition of, for increase of Salary as Keeper of the Gaol and House of Correction, Quebec, (99) 600, (132) 735-736.

M'LEOD, ALEXANDER:--Petition of, for indemnity for loss sustained by imprisonment under authority in the United States, in 1840, on charge of burning the Steamer "Caroline," (317) 1898, (328) 1946. Referred, (331) 1965. Report, (373) 2218. Committed, (382) 2306-2307. Considered; Resolution reported and agreed to; Committee to draft Address to Her Majesty, (382) 2307. Reported and agreed to, (403-404) 2442-2443. Vide Addresses, (7.)

M'MICKING, GILBERT:--Petition of, for possession of certain land granted by license of occupation, (22) 218, (34) 267.

MONOPOLIES:--Vide Feudal Tenure.

MONTGOMERY'S ESTATE:--Petition of James Hervey Price, that the said Estate as confiscated may be vested in trust, (44) 329, (53) 369.

-----Bill to re-invest in John Montgomery certain property forfeited by his attainder, presented and read, (55) 376. The Governor General consents to the consideration of this Bill, (55) 377. Read second time; Passed, (75) 464. By the Council, (80) 483. Royal Assent, (87) 529. (8 Vic., cap. 106.)

MONTREAL BOARD OF TRADE:--Vide Duties; Montreal City; Montreal Harbour; Navigation; Quebec Forwarding Company; Railroads; Trinity Houses; Usury Laws.

MONTREAL BRITISH AND CANADIAN SCHOOL:--Petition of Society of said School, for aid, (17) 152, (26) 230.

MONTREAL BUILDING SOCIETY:--Petition of C. H. Castle, and others, for Act of Incorporation, as the "Montreal Building Society," (354) 2137.

-----Bill for Incorporation of Montreal Building Society, presented and read, (356) 2143. Read second time; Committed; Considered, (434) 2548. Reported, (434-435) 2548-2549. Passed, (435) 2555. By the Council, (437) 2560. Royal Assent, (440) 2570. (8 Vic., cap. 94.)

MONTREAL CATHOLIC ORPHAN ASYLUM:--Petition of the Corporation thereof, for aid, (22) 217, (34) 265.

MONTREAL CITY:--Petition of William Molson, and others, for extension of the Northern boundary of said City, (40) 300, (52) 366. Referred, (89) 534. Committee discharged, and Petition referred to Committee on the Bill, (135) 744-745. Infra. Petition of Simon Valois, and others, against the Petition of William Molson, and others, (95) 564, (125) 711. Referred, (167) 904. Infra. Petition of William Conolly ((or Connelly)), and others, on division of wards in said City, (188) 1049, (194) 1099. Referred, (208) 1163. Infra. Petition of Montreal Board of Trade, against a certain tax contemplated in the Bill amending the Act of Incorporation, (207) 1162, (217) 1209. Referred, (221) 1246. Infra.

Petition of Mayor, Aldermen, and Citizens, for regulation respecting Weights and Measures, (238) 1358, (244) 1402. Referred, (250) 1439. *Infra.* Petition of Henry Atkinson, and others, against increase of Representatives in the City Council, (372) 2213, (375) 2278.

-----Petition of Mayor, Aldermen, and Citizens, for amendments to the Ordinances incorporating the city, presented, (56) 387. Printed, (57) 389. Petition read, (81) 486. Another Petition, (176) 983, (189) 1052. Petitions referred, (89) 535, (190) 1055. Petitions also referred: Of Montreal Board of Trade, (133) 738. Of William Molson, and others, (135) 744-745. Of Simon Valois, and others, (167) 904. Of William Conolly, and others, (208) 1163. Of Montreal Board of Trade, (221) 1246. Of Mayor, Aldermen, and Citizens of Montreal, (250) 1439. Report, (345) 2034.

-----Bill to amend the Ordinances relating to Incorporation of city of Montreal, presented and read, (365) 2175. Vide Questions Negatived, (60.) Read second time, on division, (419) 2495-2496. Committed, (419) 2496. Considered, (419) 2496-2498. Reported, (430) 2533. Amended, (430-431) 2534-2535. Passed, (435) 2550-2551. By the Council, (437) 2561. Royal Assent, (440) 2569. (8 Vic., cap. 59.)

-----Vide also Elections, Controverted, Montreal City; Registrars; Tavern Keepers.

MONTREAL COURT HOUSE:--Notice of Question concerning its construction; Withdrawn Notice, 2156.

MONTREAL ELECTIONS:--Petition of Patrick Brennan, for indemnity for property destroyed during Municipal Elections, (137) 770, (176) 984.

-----Vide also Addresses, (65.)

MONTREAL FIRE, LIFE, AND NAVIGATION COMPANY:--Vide Insurance.

MONTREAL HARBOUR:--Petition of Montreal Board of Trade, that the duty, &c., of the Harbour Commissioners be not transferred to the Corporation, (95) 564, (125) 712. Referred, (133) 738. Vide Montreal City.

-----House resolves to go into Committee to consider of improving and enlarging the limits of said Harbour, &c., (339) 1998. Considered, (339) 1998-2000. Resolution reported and agreed to, (343-344) 2023-2024. *Infra.*

-----Bill to improve the Harbour of Montreal, presented and read, (344) 2024. Read second time; Committed, (366) 2182. Considered, (402) 2434-2435, (409) 2459. Reported; Passed, (417) 2489. By the Council, (432) 2542. Royal Assent, (441) 2573. (8 Vic., cap. 76.)

MONTREAL HIGH SCHOOL:--Petition of David Torrance, and others, Directors, for Act of Incorporation, (80) 485, (94) 553. Petition of D. Davidson, and others, for aid, (166) 902, (177) 985.

-----Bill to incorporate the High School of Montreal, presented and read, (134) 743. Read second time; Referred to Committee on Private Bills,



(180) 1004. Reported, (232) 1295-1296. Considered, (237) 1332. Amended, (237) 1333. Passed, (238) 1358. By the Council, (259) 1523. Royal Assent, (370) 2204. (8 Vic., cap. 104.)

MONTREAL HOSPITAL:--Vide Hospitals.

MONTREAL HOTEL DIEU:--Petition of Religious Ladies of, to invest certain moneys, (131) 734, (146) 806.

MONTREAL HOUSE OF INDUSTRY:--Vide Addresses, (91.)

MONTREAL LADIES' BENEVOLENT SOCIETY:--Petition of, for aid, (17) 152, (26) 230.

MONTREAL LYING-IN HOSPITAL:--Petition of, for aid, (33) 263, (46) 335.

MONTREAL MECHANICS' INSTITUTE:--Petition of John Ostell, and others, for Act of Incorporation, (292) 1687, (298) 1762.

-----Bill to incorporate the Mechanics' Institute of Montreal, presented and read, (307) 1820. Read second time; Committed, (423) 2509. Considered, (423) 2509-2510. Reported, (423) 2510. Passed, (429) 2531-2532. By the Council, (437) 2560. Royal Assent, (440) 2570. (8 Vic., cap. 93.)

MONTREAL MEDICAL COLLEGE:--Petition of Francis C. T. Arnoldi, M. D., and others, for an Act of Incorporation for College of Medicine and Surgery, (9) 50, (14) 111. Petition of A. F. Holmes, M. D., and others, against former Petition, (22) 218, (34) 267. Referred, (15) 112, (36) 282. Printed, (38) 288-289. Report, (138-139) 776. To be considered, (139) 776. Considered and agreed to, (193) 1078.

-----Petition of Joseph Varin, and others, in favour of Montreal Medical School and opposing pretensions of McGill College, (202) 1130, (211) 1178. Petition of P. Fortin, and others, against Incorporation of Montreal Medical School, (255) 1496, (264) 1556.

-----Bill to incorporate the Montreal College of Medicine and Surgery, presented and read, (196) 1104. Read second time; Referred, (238) 1353. Reported; Committed, (252) 1474. Petition of P. Fortin, and others, also referred to Committee on Bill, (264) 1558. Considered, (295) 1698-1707. Reported, (297) 1746. Passed, (298) 1761. By the Council amended, (400) 2429. Amendments considered, (404) 2443-2444. Agreed to, (404) 2444. Royal Assent, (440) 2570. (8 Vic., cap. 81.)

MONTREAL MUTUAL INSURANCE:--Vide Insurance.

MONTREAL NATURAL HISTORY SOCIETY:--Petition of, for aid, (95) 565, (125) 712.

MONTREAL POLICE:--Bill to alter Montreal Police System. Notice of Motion, 379.

-----Question concerning augmentation of Police Force; Answer, 546.

MONTREAL PROTESTANT ORPHAN ASYLUM:--Petition of, for aid, (22) 217, (33) 265.

MONTREAL SISTERS OF CHARITY: Petition of, for aid, (40) 300, (52) 366.

MONTREAL TRINITY HOUSE:--Vide Trinity Houses.

MONTREAL TURNPIKE ROADS:--Petition of John Clarke, and others, for relief from unjust Acts of the Trustees, (32) 262, (46) 333. Of Benjamin Brewster, and others, the same, (88) 531, (94) 554. Latter Petition referred to Committee on Petition of M. F. Valois, and others, (101) 607. Vide Roads And Bridges.

-----Bill to oblige the Trustees of the Montreal Turnpike Roads to lease the Tolls thereon, &c., presented and read; Order for second reading, (410) 2463.

-----Bill to amend and extend the Ordinance respecting Turnpike Roads, from Montreal to Chambly, presented and read twice; Committed; Considered; Reported, (431) 2537. Passed, (433) 2545. By the Council, (437) 2560. Royal Assent, (440) 2570. (8 Vic., cap. 56.)

-----Vide also Addresses, (19, 33.); Roads And Bridges.

MORIN, AUGUSTIN NORBERT:--Makes his Election to serve for county of Bellechasse, (48) 340.

MORRISON, W., AND OTHERS:--Petition of, that they obtain Titles to certain lands, surveyed by the Government, (210) 1175, (221) 1245. Referred, (226) 1274-1275. Report; To be printed, (403) 2441.

MOUNTAINEERS INDIANS:--Vide Addresses, (95.)

MUNICIPAL DISTRICT OF NIAGARA:--Petitions of, for Returns of lands by the owners to the District Treasurer; for preservation of the Fish in Twenty Mile Pond; for Temperance Houses to provide accommodation to Travellers; for making the Macadamized Road between Grimsby and Queenston a Provincial work; for defraying the expense of Administration of Justice from Tavern and other Licenses; for a Tax on Dogs in said district, (17) 152, (24) 223. Petitions referred, and Committee to report from time to time, (31) 255-256. The Petition of M. N. Corry, M. D., and others, also referred to same Committee, (48) 340. The Petitions of Charles White, and others, and Rev. Henry Von Rohr, also referred, (49) 344. FIRST REPORT: On Administration of Justice; on Tax on Dogs; on Temperance Houses, (83) 491-492. Member added to Committee, (136) 747. SECOND REPORT: Returns of land to District Treasurers, (178) 988-989. THIRD REPORT: On Fish in Twenty Mile Pond, (178) 989.

MUNICIPAL DISTRICT OF NICOLET:--Bill to change the place of meeting of District Council of said district, presented and read, (369) 2200-2201.

Order for second reading, (369) 2201.

- MUNICIPALITIES, CANADA EAST:--Petitions for amendments to the Ordinance constituting the same: Of Municipal Council, district of St. Hyacinthe, (9) 50, (15) 111. Of T. A. Stayner, and others, (17) 152, (26) 230. Referred, (313) 1853-1854. Infra. Of Municipal Council, district of Sherbrooke, (39) 299, (52) 365. Of Donald M'Intosh, and others, county of Vaudreuil, (131) 733, (146) 806.
- Petition of Jean Langevin, that means be adopted to enable Creditors of Municipal Councils in Lower Canada to recover their debts, (295) 1716, (303) 1804. Referred, (304) 1805. Infra.
- Bill to exempt the district of Gaspé from the Municipal Ordinance of Lower Canada. Notice of Motion, 23. Bill presented and read, (9) 40. Read second time, (215) 1195-1196. Committed, (215) 1196. Considered, (228-229) 1282-1283. Reported, (229) 1283.
- Question concerning payment of debts of Lower Canada Municipal bodies; Answer, 317.
- Notice of Question regarding Government's intention to introduce a new Lower Canada Municipal Authorities Bill, 379.
- Question relating to Government's policy about Municipal Bill; Answer, 546.
- House resolves to go into Committee to consider of repealing the Municipal Laws, and adopting new provisions on that subject, (262) 1537. Considered, (262) 1537-1538. Resolution reported and agreed to, (271-272) 1585.
- Bill to repeal certain Ordinances, and make better provision for establishment of Local Municipal Authorities in Lower Canada, presented and read, (272) 1585. Read second time, (291) 1679-1680. Referred, with an Instruction to expunge the 20th Paragraph of the 25th Section of said Bill, (291) 1680. Petitions referred to same Committee: Of Donald M'Intosh, and others, (293) 1690. Of Jean Langevin, (304) 1805. Of T. A. Stayner, and others, (313) 1853-1854. Of Flavien Vallerand, (331) 1965. Reported; Committed, (368) 2197. Considered, (383) 2312, (400-401) 2429-2430. Reported, (408) 2457. Passed, (418) 2492. By the Council amended, (438) 2561. Amendments considered and agreed to, (438) 2563-2564. Royal Assent, (440) 2570. (8 Vic., cap. 40.)
- Bill to amend the Act 4 Vic., cap. 4, and to provide for and facilitate the collection of Taxes in the Municipal districts of Lower Canada, presented and read; Order for second reading, (319) 1906.
- Bill for ascertaining the liabilities of the Municipal districts of Lower Canada, and means of discharging the same, presented and read, (374) 2218. Read second time; Committed; Considered; Reported, (409) 2461. Passed, (430) 2532-2533. By the Council, (436) 2556. Royal Assent, (439) 2567. (8 Vic., cap. 77.)

MUNICIPALITIES, CANADA WEST:--Petitions for amendments to the Act, constituting Municipal Authorities therein: Of Municipal Council, Home District, (3) 19, (6) 30. Of Municipal Council, district of Huron,

(4) 26, (12) 64. Referred, (12) 66. Report, (82) 490. Vide Huron District. Of Municipal Council, district of Simcoe, (9) 50, (14) 111. Of Municipal Council, Western District, (93) 550, (100) 603. Of William Dickson ((or Dixon)) (of Smith), and others, district of Colborne, (183) 1019-1020, (194) 1099. Of William Ketcheson, Jr., and others, (216) 1208, (225) 1273. Of Municipal Council, Midland District, (231) 1293, (235) 1326.

-----Petition of Municipal Council, district of Simcoe, for allowance to members of District Councils, while attending their duties, (341) 2015, (351) 2114.

MURRAY CANAL RESERVE:--Vide Addresses, (81.)

MUTUAL INSURANCE:--Vide Insurance.

N

NATURALIZATION:--Vide Aliens.

NAVIGATION:--Petition of A. Chapman, and others, that the River Richelieu and other streams in district of Montreal, be deepened, and obstructions removed, (40) 300, (52) 366. Of Jacques Lemlin, and others, navigating between Montreal and Quebec, for reduction of rate in their favour, (251) 1472, (259) 1522. Referred, (298) 1763. Vide Trinity Houses. Petition of William Laughton, for improvement of the Narrows in Lake Simcoe, (44) 329, (53) 369. Of James Breakenridge, that the Gananoque Waters be made navigable, (169) 948, (177) 986. Petition of Ephraim Webster, and others, for rendering navigable the Gananoque and Wiltsie Waters, (56) 387, (81) 486. Petition of Edward Webster, and others, the same, (93) 551, (100) 603. Two last Petitions referred, (81) 487, (101) 608. Report, (214) 1188-1189. Petition of Montreal Board of Trade, for improvement of the navigation of River Ottawa, (169) 948, (177) 986-987. Petition of Thomas Proudlock, for grant to enable him to lay before the public, plans for improvement of navigation, (251) 1472, (259) 1523. Referred to Committee on Contingencies, (265) 1561.

-----Notice of Question of Ministry concerning navigation of River St. Lawrence, 43. Another Notice, 212.

-----Notice of Question of Ministry concerning improvement of navigation of River St. Lawrence, 1079. Question; Answer, 1125.

-----Despatch on reserved Bill of last Session for regulating the navigation of the River St. Lawrence, (65) 426.

-----Vide also Addresses, (29.); Holland River; Plantation Vessels.

NEW BRUNSWICK:--Province Line.

NIAGARA DISTRICT:--Entries of JOURNALS for last Session on Petition of Municipal Council for a new site for a District Town, read and referred



to a Select Committee, (285) 1657. Report, (299) 1764.

-----Vide also Municipal District Of Niagara.

NIAGARA PLANK ROAD:--Bill to incorporate certain persons, for constructing a Plank Road from Niagara to Ten Mile Creek, presented and read, (196) 1105. Read second time; Committed, (272) 1586. Considered, (272) 1587. Reported, (274) 1596-1597. Passed, (281) 1643. By the Council amended, (328) 1947. Amendments to be considered, (338) 1995. Considered, (362-364) 2169-2173. Agreed to, (364) 2173. Royal Assent, (439) 2567. (8 Vic., cap. 88.)

-----Vide also Roads And Bridges. (Petition of Charles Richardson, and others.)

NIAGARA TOWN:--Petition of Daniel M'Dougal, for Act to incorporate said Town, (131) 734, (146) 806. Referred, (177) 987. Report, (190) 1056. Infra.

-----Bill to incorporate the town of Niagara, presented and read, (197) 1105-1106. Read second time; Committed; Considered, (272) 1586. Reported, (274) 1596. Passed, (276) 1616. By the Council, with amendments, (331) 1963. Amendments to be considered, (338) 1995. Considered, (361-362) 2167-2169. Agreed to, (362) 2169. Royal Assent, (439) 2567. (8 Vic., cap. 62.)

-----Despatch on Reserved Bill of last Session, relating to Market Block in town of Niagara, sent down by Message, (65) 425.

NICHOL TOWNSHIP:--Petitions of William Reynolds, and others; of D. Henderson, and others, (242) 1392, (252) 1472-1473. Of A. D. Fordyce, and others, that a certain part of township of Woolwich be added to township of Nichol, (242) 1392, (252) 1473. Petitions referred to Committee on Private Bills, (256) 1498. Report, (260) 1526.

NOMINEES OF THE CROWN:--Bill for relief of parties claiming lands in Upper Canada, representing Nominees of the Crown. Notice of Motion, 23. Bill presented and read, (28) 235. Read second time; Committed, (59) 398. Considered, (75) 462-463. Reported, (75) 463. Passed, (81) 485. By the Council, (177) 987. Royal Assent, (242) 1391. (8 Vic., cap. 8.)

NORTH AMERICAN COLONIAL ASSOCIATION OF IRELAND:--Petition of Eden Colville, for power to the Association to invest capital in Provincial Societies, (40) 300, (52) 366. Referred to Standing Committee on Private Bills, (54) 370. Report, (204) 1138.

-----Bill to give further powers to said Association, presented and read, (261) 1536. Read second time, on division, (358) 2150-2152. Committed, (358) 2152. Considered, (358) 2152-2153, (365) 2178-2181. Reported, (365) 2181. Read third time, on division, (372) 2214-2215. Vide Questions Negatived, (50.) Amended, (372-373) 2215. Vide Questions Negatived, (51.) Passed, (373) 2216. By the Council, (387) 2363. Royal Assent, (440) 2570. (8 Vic., cap. 87.)

NOTARIAL PROFESSION:--Bill to organize said Profession in Lower Canada. Notice of Motion, 726. Bill presented and read, (133) 740. Read second time; Committed, (286) 1658. Considered, (286) 1658-1659. Reported, (291) 1678. Passed, (292) 1688.

NOTARIES:--House resolves to go into Committee to consider of repealing the Ordinance as prohibits Notaries from acting as Clerks of certain Courts in Lower Canada, (284) 1655. Considered, (284-285) 1655. Bill reported and read, (285) 1655. Read second time, (358) 2148-2149. Committed; Considered; Reported, (358) 2149. Passed, (360) 2163. By the Council, (376) 2281. Royal Assent, (440) 2570. (8 Vic., cap. 53.)

O

OFFICES:--Notice of Question concerning multiple officeholding, 1423. -----Vide also Addresses, (24.)

OFFICERS AND CLERKS OF THE HOUSE:--Statement of the Officers and Clerks of the Legislative Assembly, Salaries, &c., in conformity to Order of 24 February 1845, (324) 1929-1930.

-----Moved to rescind the Resolutions of 19 July 1841 and 30 November 1843, on Salaries and Duties of Officers of the House and adopt certain statement in lieu thereof, (375) 2278-2279. Consideration postponed until next Session, on division, (375) 2279-2280.

-----Resolutions in favour of Officers of the House for removing to Montreal, (426-427) 2522.

-----Vide also Questions Negatived, (54.)

OGDEN, WILLIAM:--Petition of, for remuneration for building a bridge over the River Etobicoke, (93) 550, (100) 602.

O'KEEFE ((OR O'KEEFFE)), GEORGE:--Petition of, for employment as Assistant Translator to Legislative Assembly, (80) 484, (94) 552.

ORDERS:--Vide Standing Orders.

ORDERS OF THE DAY:--Vide Questions Negatived, (28.)

ORDNANCE DEPARTMENT:--Bill to explain and amend the Act, vesting in Her Majesty's Ordinance certain Estates and Property, presented and read, (299) 1765. Read second time; Referred, (330) 1958. Reported, (384) 2321. Committed, (386-387) 2360. Considered; Reported, (409) 2459-2460. Passed, (413) 2477. By the Council, (432) 2541. Reserved for Her Majesty's pleasure, (441) 2572.

-----Vide also Sparks, Nicholas.

ORLEANS, ISLAND OF:--Vide Registration.

OTTAWA COUNTY:--Petition of John Egan, and others, that said County may be erected into an Inferior District, (33) 263, (46) 335.

OTTAWA RIVER:--Vide Addresses, (48.); Navigation; Roads And Bridges.

OTTER CREEK:--Vide Harbours.

OUELLETTE, JEAN F.:--Petition of, for a Patent for a Propelling Engine, (263) 1548, (276) 1617.

OUTRAGES ON PUBLIC WORKS:--Message from His Excellency with Reports, &c., connected with Outrages on certain Public Works, (211) 1181.

-----Bill for better preservation of the Peace and prevention of Riots and Outrages near Public Works. Notice of Motion, 1265. Bill presented and read, (232) 1296. Order for second reading discharged; Bill withdrawn, (240) 1374.

-----House resolves to go into Committee to consider of providing for the better preservation of the Peace, and prevention of Riots and Outrages at and near the Public Works, and granting a sum of money for that purpose, (240) 1374-1375. Considered, (251) 1442-1467. Resolution reported and agreed to, (253) 1476.

-----Bill for preservation of the Peace and prevention of Riots and Outrages at and near the Public Works, presented and read, (253) 1476-1477. Read second time, on division, (258) 1504-1518. Committed; Considered, (259) 1519. Re-committed; Considered, (261) 1537. Reported, (262) 1537. Passed, on division, (263) 1549-1550. By the Council, (279) 1627. Royal Assent, (370) 2206. (8 Vic., cap. 6.)

OXFORD COUNTY:--Vide Elections, Controverted, Oxford County.

P

PAPINEAU, PIERRE, AND OTHERS:--Petition of, for provision as Ferrymen, during the late War, (17) 152, (24) 223.

PARDONS FOR POLITICAL OFFENCES:--Vide Addresses, (1, 2.); Return Of Convicts.

PARKE, THOMAS:--Vide Surveyor General.

PARLIAMENT HOUSE:--Question regarding construction of; Answer, 1158.

-----Proposals for changes in House, concerning Decorations, Heating, and Informational Literature, 2577.

PARLIAMENTARY REPORTING:--Question of privilege concerning false report by LA MINERVE's reporter, 212.

-----Debate on erroneous report by MONTREAL TRANSCRIPT, 622-624. Vide Quebec Forwarding Company.

-----Complaint against Parliamentary report in MONTREAL TIMES, 1079.  
 -----Correction of error in MONTREAL GAZETTE's Parliamentary Report for  
 26 March 1845, 2552.  
 -----Vide also Questions Negatived, (19.); Reporters.

PARTNERSHIPS:--Vide Limited Partnerships.

PATRICK, ALFRED:--Petition of, for an increase of Salary, as Second Clerk  
 of Committees, (145) 804, (170) 949. Referred, (170) 950. Report,  
 (257) 1499. Resolution, (295) 1697.

PEACE OFFICERS:--Vide Sherbrooke Town.

PEACOCK, WILLIAM:--(State of New York.) Petition of, that his right to a  
 lot of land in the Home District, be protected, (251) 1472, (259) 1523.  
 Motion to refer the Petition, negatived, on division, (342) 2018. Vide  
Questions Negatived, (44.)

PEDLARS:--Vide Duties; Quebec Pedlars; Tinware.

PENITENTIARY:--Vide Provincial Penitentiary.

PENSIONERS:--Vide Commuted Pensioners.

PERES OBLATS:--Petition of Rev. Jean Claude Léonard, for an Act of Incor-  
 poration, (39) 299, (52) 365. Referred to Committee on Private Bills,  
 (217) 1210. Report, (239) 1359-1360.

-----Bill to incorporate Les Révérends Pères Oblats de l'Immaculée Con-  
 ception de Marie, presented and read, (257) 1502. Read second time;  
 Referred to Committee on Private Bills, (287) 1665. Reported, (314)  
 1855. Committed, (315) 1858. Considered, (326) 1940. Reported, (327)  
 1940. Passed, (330) 1961.

PETIT JURORS:--Vide Jurors.

PETITIONS:--To Her Majesty and the Imperial Parliament. Vide Importation  
 Of Goods In Foreign Vessels.

-----Withdrawn, (16) 116, ((327)) 1942.

-----Rejected, (40) 300-301, 317-323.

-----Motion concerning reception of Petitions, ((36)) 271. Agreed to,  
 ((36)) 372.

-----Name to be attached to a Petition, (61) 413.

#### KEY TO PETITIONS PRESENTED AND READ.

A

Abbott, Augustus, and others: vide Roads And Bridges.



- Abbott, Rev. Joseph, M. A.  
 Abbott, Rev. Joseph, and others: vide Clergy Reserves.  
 Abbott, Rev. William, and others: vide Clergy Reserves.  
 Adams, Aaron A., and others: vide Academies.  
 Adams, Pierpoint E.: vide Aliens.  
 Adamson, Jonathan, and others: vide Roads And Bridges.  
 Agricultural Society of Montreal: vide Winter Carriages.  
 Agricultural Society Talbot District: vide Agriculture.  
 Aikman, Michael: vide Elections, Controverted, Wentworth County.  
 Aikman, Michael, and others: vide Roads And Bridges.  
Alfaro, Mrs. M. C.  
 Allard, J. B., and others: vide Duties.  
 Allard, Pierre, and others: vide Duties.  
 Allen, Edward Carter: vide Education And Schools.  
Allen, Mrs. Mary.  
 Allen, W. H., and others: vide Clergy Reserves.  
Allsopp, Jane.  
Alway, Mrs. Sarah.  
 Anderson, Alexander: vide below, Notman, William, Alexander Anderson, and Simeon Morrill.  
 Anderson, Alexander, and others: vide London Town.  
 Anderson, Anthony: vide below, Smith, Charles, and Anthony Anderson.  
 Anderson, Rev. J., and others: vide Universities.  
 Anderson, Rev. John, and others: vide Clergy Reserves.  
 Anderson, John P., and others: vide Quebec Pedlars.  
 Anderson, Rev. Richard, and others: vide Clergy Reserves.  
 Anderson, Rev. William, and others: vide Clergy Reserves.  
 Anderton, Peter: vide St. Lawrence Canal.  
 Andres, Samuel, and Stephen R.: vide Chambly Canal.  
 Annis, Asa: vide Board Of Works.  
 Applebee, James A., and others: vide Haldimand County.  
 Archambault, Rev. J. O., and others: vide Claims For Damages By Public Works.  
 Archambault, Rev. Paul, and others: vide Education And Schools.  
 Archambeault ((or Archambault)), Amable, and others: vide Leinster County.  
 Archambeault ((or Archambault)), Eugène.  
 Archibald, John, and others: vide Petitions Presented But Not Read.  
 Ardagh, Rev. S. B., M. A., and others: vide Clergy Reserves.  
 Armstrong, E., and others: vide Clergy Reserves.  
 Armstrong, William, and others: vide Clergy Reserves.  
 Arnold, Rev. William, and others: vide Clergy Reserves.  
 Arnoldi, Francis C. T., M. D., and others: vide Montreal Medical College.  
 Arthurs, John, and others: vide Adelaide Township.  
 Asselin, G. B., & Co., and others: vide Tinware.  
 Atchison, Robert, and others: vide Lands, Public.  
 Atkinson, Rev. A. F., and others: vide Clergy Reserves.  
 Atkinson, Henry, and others: vide Montreal City.  
 Aubry, Rev. L., and others: vide Winter Roads.

## B

- Baby, F., and others: vide Duties.
- Bacon, John, and others: vide Duties.
- Baillargeon, Rev. Etienne, and others: vide St. Nicholas.
- Baird, N. H.
- Baker, Stevens, and others: vide Roads And Bridges.
- Baker, William (trustee of Dunham Academy), and others: vide Academies.
- Baker, William (of Gaspé Bay), and others: vide Fish And Fisheries.
- Baker, William (of Missisquoi), and others: vide Administration Of Justice.
- Balfour, Rev. Andrew: vide Education And Schools.
- Bangs, Heman: vide Claims For Losses During Late War.
- Bank of Montreal: vide Bank Notes.
- Bank of Upper Canada: vide Bank Notes.
- Banque du Peuple: vide Bank Notes.
- Baribeau, L., and others: vide Trinity Houses.
- Barnes, Asahel, and others: vide Clergy Reserves.
- Barrett, William, and others: vide Education And Schools.
- Barthe, J. G., and others: vide Elections, Controverted, Yamaska County.
- Becket, J. C.: vide below, Maitland, J. J., and J. C. Becket.
- Begg, William, and others: vide Presbyterian Congregations.
- Bélanger, Rev. Charles E. (of Somerset), and others: vide Roads And Bridges.
- Bélanger, Rev. Charles E. (of Stanford,) and others: vide Roads And Bridges.
- Bélanger, Louis, and others: vide Winter Roads.
- Bell, Julia.
- Bell, Nathaniel.
- Belleau, R. G., and others: vide Quebec Turnpike Roads.
- Bellefeuille, Jean Baptiste, and two others: vide Ferries.
- Bellows, C. L., and others: vide Roads And Bridges.
- Benjamin, Robert, and others: vide Duties.
- Berczy, Charles, and others: vide Toronto City.
- Besserer, L. T., and others: vide Bytown.
- Bethell, William: vide River Jacques Cartier.
- Bethell, William, and Thomas Brown: vide River Jacques Cartier.
- Bethune, Rev. A. N., and others: vide Clergy Reserves.
- Bethune, Rev. John, and others: vide Clergy Reserves.
- Bettridge, Rev. William, B. D., and others: vide Clergy Reserves; Education And Schools; Universities.
- Bilodeau, Mrs. Marie F.
- Binkley, William, and Edward Lyons: vide Dundas Town.
- Birch, J., and others: vide Quebec Custom House.
- Bishop, James.
- Bishop of Montreal: vide Quebec Firewood Society.
- Bishop of Toronto, and others: vide Clergy Reserves; Education And Schools; Universities.
- Black, John, and others: vide Clergy Reserves.
- Blackburn, James, and others: vide Roads And Bridges.
- Blais, L., and others; vide Roads And Bridges.

- Blakey, Rev. Robert, and others: vide Clergy Reserves.  
 Blanchard, H. W., and others: vide Roads And Bridges.  
 Blanchard, W. G., and others: vide Administration Of Justice.  
 Board of the Royal Institution for the Advancement of Learning: vide Royal Institution.  
 Boivin, Leonard, and others: vide Elections, Controverted, St. Hyacinthe County.  
 Bolduc, Joseph: vide below, Lacroix, Pierre, And Joseph Bolduc.  
 Bond, Rev. William, and others: vide Clergy Reserves.  
 Bonner, John, And William Petry.  
 Bordeleau, Octave, and others: vide Winter Carriages.  
 Borland, Rev. John, and others: vide Universities.  
 Bostwick, Henry B.: vide Tolls.  
 Botham, William, and others: vide Clergy Reserves.  
 Boucher, François, and others: vide Maskinongé Common.  
 Boucher, Mrs. Monique S., and others: vide Maison De La Providence.  
 Bouchette, Joseph.  
 Bouchier ((or Bourchier)), James O., and others: vide Clergy Reserves.  
 Bourne, Rev. R. H., and others: vide Clergy Reserves.  
 Bowman, Baxter, and others: vide Duties.  
 Boyd, Capt. David, and others: vide Clergy Reserves.  
 Boyd, William C., and others: vide St. Vincent.  
 Boyle, Richard M., And Others.  
 Braithwaite, Joseph, and others: vide Clergy Reserves.  
 Branan, R. W., and others: vide Roads And Bridges.  
 Branan, Richard W., and others: vide Ekfrid And Adelaide Townships.  
 Brant, Henry, and others: vide Indians.  
 Brassard, Rev. Louis M.: vide St. Antoine De Longueuil.  
 Brazeau, J., and others: vide Duties.  
 Breakenridge, James: vide District Councils; Duties; Education And Schools; Insane; Jurors; Matrimony; Militia; Navigation; Practice Of The Law; Public Works; Qualifications For Office; Roads And Bridges; Seat Of Government.  
 Brennan, Patrick: vide Montreal Elections.  
 Brethour, Rev. W., and others: vide Clergy Reserves.  
 Brewster, Benjamin, and others: vide Feudal Tenure; Montreal Turnpike Roads.  
 British and Canadian School Society of Montreal: vide Montreal British And Canadian Schools.  
 Brock, Thomas R., and others: vide Clergy Reserves.  
 Bronte Harbour Company: vide Harbours.  
 Brookes ((or Brooks)), James, and others: vide Duties.  
 Brothers: vide below, Hellewell, Thomas, & Brothers, Messrs., and others; Miller and Brothers, Messrs., and others.  
 Brough, Charles C., and others: vide Clergy Reserves.  
 Brown, George, and others: vide below, Brown, John ((or George)), and others.  
 Brown, Jacob, and others: vide Claims For Damages By Public Works.  
 Brown, James W., and others: vide Roads And Bridges.  
 Brown, John ((or George)), and others: vide Roads And Bridges.

Brown, Richard (of Cayuga), and others: vide Manufactures.  
 Brown, Richard (of Haldimand), and others: vide Roads And Bridges.  
 Brown, Thomas: vide above, Bethell, William, and Thomas Brown.  
 Brownlee, Thomas, and others: vide Trinity Houses.  
 Brunet, Hyacinthe, and others: vide Roads And Bridges.  
 Buchanan, Isaac, and others: vide Duties.  
 Buchanan, Patrick, and others: vide Duties.  
 Buell, Andrew N.: vide St. Lawrence Canal.  
 Buell, Andrew N., and others: vide Law Society; Practice Of The Law.  
 Buell, William: vide Elections, Controverted, Leeds County.  
 Buell, William, and others: vide Agriculture.  
 Burland, Benjamin, And Others.  
 Burnham, Asa A., and others: vide Cobourg Town.  
 Burnham, Mark, and others: vide Clergy Reserves.  
 Burns, James, And John Gordon.  
 Burns, Robert E.  
 Burns, Robert E., and others: vide Administration Of Justice.  
 Burrage, Rev. R. R., and others: vide Clergy Reserves.  
 Burritt, Henry, and others: vide Mill Owners.  
 Burritt, R., and others: vide Elections, Controverted, Grenville County.  
 Burwell, John: vide Harbours; Militia.  
 Butler, Rev. John, and others: vide Clergy Reserves; Universities.  
 Byrne, Daniel, and others: vide Registration.

## C

Cadwell, Austin E.: vide Aliens.  
 Calcutt, James: vide Duties.  
 Caldwell, David, and others: vide Clergy Reserves.  
 Cameron, Donald.  
 Cameron, Kenneth, and others: vide Roads And Bridges.  
 Campbell, A., Jr., and others: vide Jurisprudence.  
 Campbell, Alexander (of Thorah), and others: vide Roads And Bridges.  
 Campbell, Alexander (of Williams), and others: vide Williams Township.  
 Campbell, John: vide Port Hope And Rice Lake Plank Road.  
 Campbell, Robert F., and others: vide Petitions Presented But Not Read.  
 Canada Baptist Missionary Society: vide Baptists.  
 Canada Baptist Union: vide Registration; Universities.  
 Cannon, Noah C. W.: vide Aliens.  
 Carr, Rev. Jacob, and others: vide Evangelical Association.  
 Carter, Henry, and others: vide Roads And Bridges.  
 Cartier, Eusèbe, and others: vide Colleges.  
 Castle, C. H., and others: vide Montreal Building Society.  
 Chaderton, Rev. W., and others: vide Clergy Reserves.  
 Chapman, A., and others: vide Navigation.  
 Chapman, John, and others: vide Clergy Reserves.  
 Charest, Abraham, and others: vide Roads And Bridges.  
 Charitable Association, Roman Catholic Ladies of Quebec: vide Quebec Charitable Association.



- Charland, Rev. Lewis ((or Louis)) D., and others: vide Education And Schools.
- Charters, John, and others: vide Education And Schools.
- Chase, William C., and others: vide Duties.
- Chauveau, Pierre Joseph Olivier: vide Quebec Scientific Literary Society.
- Chesley, Solomon Youmans, and others: vide Elections, Controverted, Cornwall Town.
- Child, Marcus, and others: vide Roads And Bridges.
- Chisholm, George K.: vide Sergeant-At-Arms.
- Choat, Joseph, and others: vide Clergy Reserves.
- Christin, Michel, Jr.
- Chrysler, James L., and others: vide below, Crysler ((or Chrysler)), James L., and others.
- Church Missionary, and Indians of the Six Nations: vide Clergy Reserves.
- Church Society, Diocese of Quebec: vide Clergy Reserves.
- Church Society, Diocese of Toronto: vide Clergy Reserves; Universities.
- City Bank: vide Bank Notes.
- City of Montreal: vide Montreal City.
- Clark, Samuel, and others: vide Roads And Bridges.
- Clarke, E. S., and others: vide Roads And Bridges.
- Clarke, John, and others: vide Montreal Turnpike Roads.
- Clarke, William: vide below, Grange, George J., and William Clarke.
- Clément, Léon Charles: vide Census.
- Cleveland, Levi, and others: vide Roads And Bridges.
- Cloutier, Abraham.
- Cobourg Police: vide Cobourg Town.
- Coffin, Abraham, and others: vide below, Perchard, James, Abraham Coffin, and others.
- Coin, James, and others: vide Boundary Lines.
- Coleman, James, and others: vide Roads And Bridges.
- College of L'Assomption, Corporation of: vide Colleges.
- College of St. Hyacinthe: vide Colleges.
- Colquhoun, Charles, and others: vide Clergy Reserves.
- Coltair, R. P., and others: vide Duties.
- Colville, Eden: vide North American Colonial Association Of Ireland.
- Colville, E., and others: vide Godmanchester.
- Commercial Bank of Midland: vide Bank Notes.
- Connell, David, and others: vide Universities.
- Connelly, William, and others: vide below, Conolly ((or Connelly)), William, and others.
- Connor ((or Conner)), William, and others: vide Duties.
- Conolly ((or Connelly)), William, and others: vide Montreal City.
- Cook, Rev. John, D. D., and others: vide Quebec High School.
- Cooke, Robert F., and others: vide Haldimand County.
- Cooke, W. G., and others: vide Academies.
- Cooper, Henry C., B. A., and others: vide Clergy Reserves.
- Copp, M. W. ((or W. M.)), and others: vide Roads And Bridges.
- Corbett, James, Alexis Paulet, and Louis Millette: vide Census.

Corbett, Thomas A., and others: vide Roads And Bridges.  
 Cordner, Rev. John, and others: vide Unitarians.  
 Corporation Quebec: vide below, Quebec Corporation.  
 Corry ((or Corvy)), M. N., M. D., and others: vide Administration Of Justice.  
 Cottingham, William: vide Claims For Damages By Public Works.  
 Cotton, Rev. Charles C., and others: vide Clergy Reserves.  
 Cottrell, Francis, and others: vide Feudal Tenure.  
 Council of King's College at York: vide Universities.  
 Coyne, Thomas G., and others: vide Clergy Reserves.  
 Crabb, Christopher: vide Duties.  
 Crane, S., and others: vide Roads And Bridges.  
 Crawford, George: vide Agriculture.  
 Crawford, J.: vide below, Draper J., and J. Crawford.  
 Creage, James, and others: vide Clergy Reserves.  
 Green, Rev. Thomas, and others: vide Clergy Reserves.  
 Crevier, Very Rev. Edward: vide Hospitals.  
 Crooke, Thomas L., and others: vide Roads And Bridges.  
 Crooks, Hon. James.  
 Crooks, Hon. James, and others: vide Roads And Bridges.  
 Crysler ((or Chrysler)), James L., and others: vide Roads And Bridges.  
 Cubitt, Fleetwood, and others: vide Education And Schools.  
 Cummings, Alanson: vide below, Young, Bernard ((or Barnard)), And Alanson Cummings, And Others.  
 Cunningham, Charles, and others: vide Fish And Fisheries.  
 Curtain, John, and others: vide Lumber.

## D

Daigneau, Joseph, and others: vide Claims For Damages By Public Works.  
 Dallas, James, and others: vide Holland River.  
 Daly, Daniel: vide Claims For Damages By Public Works.  
 Dampier, William, and others: vide Clergy Reserves.  
 Daout, Joseph, and others: vide Winter Carriages.  
 Darling, Rev. W. S., and others: vide Clergy Reserves.  
 Dauth, Gaspard: vide St. Anne's Bridge.  
 Davidson, D., and others: vide Montreal High School.  
 Davidson, L., and others: vide Roads And Bridges.  
 Davies, Rev. William, and others: vide Clergy Reserves.  
 Dawson, John, and others: vide Tobacco.  
 Deacon, Rev. Job, and others: vide Clergy Reserves; Education And Schools.  
 Dean, James, and others: vide Quebec Forwarding Company.  
 DeBeaujeu, George R. S.: vide Province Line.  
 DeBeaujeau ((or DeBeaujeu)), Saveuse: vide Province Line.  
 DeCow, John, Sr., and others: vide Haldimand County.  
 Defries, Robert.  
 Deguise, Pierre.  
 Delâge, Rev. F. X., and others: vide Registration.

DeLorimier ((or Delorimier)), L. G., and others: vide Administration Of Justice.

Demaray, P. P.

DeMontreuil, Charles Juneau.

Denroche, Rev. Edward, and others: vide Derroche ((or Denroche)), Rev. Edward, and others.

Derbishire, S.: vide Hamel, Théophile.

Derroche ((or Denroche)), Rev. Edward, and others: vide Clergy Reserves; Education And Schools.

D'Eschambault, Guillaume.

Desilets, Rev. L. O., and others: vide Winter Carriages.

DeVoyan, Nicolas: vide Claims For Losses During Late Rebellion.

DeWitt, Charles (of Godmanchester), and others: vide Godmanchester.

DeWitt, Charles (of St. Joachim de Chateauguay), and others: vide Roads And Bridges.

Dickson, William (of Gore), and others: vide Grand River Bridges.

Dickson ((or Dixon)), William (of Smith), and others: vide Municipalities, Canada West.

Dion, Rev. C., and others: vide Winter Carriages.

District Council, Huron District: vide Municipalities, Canada West.

District Council, Sherbrooke District: vide Education And Schools; Municipalities, Canada East.

Dixie, W. A., and others: vide Tobacco.

Dixon, William (of Smith), and others: vide above, Dickson ((or Dixon)), William (of Smith), and others.

Doak, William R., and others: vide Universities.

Dodier, Augustin, and others: vide Quebec Turnpike Roads.

Dolson, John, and others: vide Roads And Bridges.

Donaldson, John, and others: vide Haldimand County.

Donaldson, William, and others: vide Merchant Seamen's Society.

Donegani, John: vide Aliens.

Donegani, Joseph: vide Aliens.

Doolittle, Rev. L., and others: vide Clergy Reserves.

Doolittle, Rev. L., and others: vide Insane.

Dorval, Alexis, and others: vide Lumber.

Dorwin, J. H., and others: vide Duties.

Dostaler, Martin, and others: vide Winter Carriages.

Doucet, N. B.: vide Laws.

Doucet, Pierre: vide Quebec City.

Dougall, John, and R. M. Wadsworth: vide Postage.

Douglas, George A., and others: vide Gwillimbury West.

Draper, J., and J. Crawford: vide Harbours.

Drury, Thomas, and others: vide Holland River.

Duburger, J. B., and others: vide Roads And Bridges.

Ducharme, Rev. Charles J.: vide Colleges.

Duckett, William, and others: vide Roads And Bridges.

Dufresne, Louis Flavien: vide Petitions.

Dumoulin, P. B.

Dumoulin, Rev. S. J. A., and others: vide Winter Carriages.  
Duncan, William.  
 Duncan, William, and others: vide Elections, Controverted, Lanark County.  
 Duncombe, David, and others: vide Elections, Controverted, Norfolk County.  
 Dunkerly, Rev. David, and others: vide Roads And Bridges.  
 Dunlop, Leonard H.: vide Beauharnois Canal; Board Of Works.  
 Dunlop, W., and others: vide Fish And Fisheries.  
 Dunn, Peter, and others: vide Elections, Controverted, Montreal City.  
 Duquet, Rev. Joseph, and others: vide Registration.  
 Durand, James: vide Elections, Controverted, Halton County.  
 Duransaux, Rev. Antoine, and others: vide Roads And Bridges.

## E

Eakins, James: vide below, Silverthorn, Aaron, And James Eakins.  
 Eakins, John A., and others: vide Clergy Reserves.  
 Easton, George, and others: vide Clergy Reserves.  
 Eddy, Bayes M., and others: vide Division Court Act.  
 Edmundson, William G.: vide Agriculture.  
 Egan, John, and others: vide Ottawa County.  
 Elier, Joseph, and others: vide Shefford Mountain.  
 Elkins, C. P.  
 Elliott ((or Elliot)), Rev. F. G., and others: vide Clergy Reserves.  
 Esson, Rev. H., and others: vide Universities.  
 Evans, Rev. Francis, and others: vide Clergy Reserves.  
 Evans, William: vide Agriculture.  
 Ewers, Alonzo J.: vide Aliens.  
 Eyre, Thomas, and others: vide Duties.

## F

Faribault, George B.: vide Quebec Literary And Historical Society.  
 Farley, James, and others: vide London Town.  
 Felton, John, and others: vide Universities.  
 Ferguson, Alexander, and others: vide Roads And Bridges.  
 Fidler, Thomas, and others: vide Clergy Reserves.  
 Filteau, J., and others: vide Roads And Bridges.  
 Finlay, Cornelius H.: vide Board Of Works.  
 Fiset, Hon. L., and others: vide Roads And Bridges.  
 Fisette, Rev. Antoine, and others: vide Winter Carriages.  
 Flanagan ((or Flanagan)), Rev. John, and others: vide Clergy Reserves.  
Fleming, Mrs. Ann Cuthbert.  
 Fleming, Rev. C. B., and others: vide Clergy Reserves.  
Fleming, Peter.  
 Flint, Simeon, and others: vide Roads And Bridges.  
 Fogarty ((or Fogartey)), John, and others: vide Port Hope And Rice Lake  
Plank Road.  
Forbes, George.



Fordyce, A. D., and others: vide Nichol Township.  
 Fortier, Felix: vide Clerk Of The Crown In Chancery.  
 Fortier, Rev. Louis Théophile, and others: vide Education And Schools.  
 Fortier, Thomas, M. D., and others: vide Winter Carriages.  
 Fortin, P., and others: vide Montreal Medical College.  
 Foster, Edward, and others: vide Elections, Controverted, Norfolk County.  
 Foster, James, and others: vide Duties.  
 Foster, Ralph, and others: vide Duties.  
 Foster, Stephen S., and others: vide Administration Of Justice.  
 Fraser, Alexander: vide Elections, Controverted, Lanark County.  
 Frayr ((or Fraye)), Simon, and others: vide Surveying.  
 Freeland and Taylor, Messrs., and others: vide Duties.  
 Froste, Robert: vide Claims For Damages By Public Works.  
 Frothingham, John, and others: vide Duties.  
 Frymer, Conrad, and Henry Merklie: vide Lutherans.  
 Fuller, Rev. J. B., and others: vide Clergy Reserves.  
 Fuller, Rev. T. B., and others: vide Clergy Reserves; Education And Schools.  
 Furniss, Albert: vide Toronto Gas Light And Water Company.

## G

Gagnon, Rev. C. L., and others: vide Roads And Bridges.  
 Galt, A. T., and others: vide Manufactures.  
 Gamble, William, and others: vide Harbours.  
 Gee, Joseph, and others: vide Haldimand County.  
 Gely, Joseph.  
 Gemmill, John R.  
 Gibb, James: vide Bank Notes.  
 Gibbs, David, and others: vide Universities.  
 Gibbs, John P.  
 Gilchrist, John: vide Claims For Damages By Public Works.  
 Girard, D., and others: vide Pilots.  
 Girdwood, John: vide Clergy Reserves; Education And Schools.  
 Giroux, Rev. A. O.: vide Education And Schools.  
 Girty, Prideaux, and others: vide Tobacco.  
 Glackmeyer ((or Glackemeyer)), Edward: vide Quebec City.  
 Glen, John, and others: vide Roads And Bridges.  
 Glen, Mrs. M. A. J. Hertel de ((or De)) Rouville: vide Tolls.  
 Gold, Henry, and others: vide Roads And Bridges.  
 Gooding, J. K., and T. B. Woodcliff: vide Railroads.  
 Gordon, John: vide above, Burns, James, And John Gordon.  
 Gore Bank: vide Bank Notes.  
 Gosselin, Rev. Antoine, and others: vide Registration.  
 Gosselin, J., and others: vide Academies.  
 Gourlay, Robert Fleming.  
 Graham, Rev. George, and others: vide Clergy Reserves.  
 Graham, Richard, and others: vide Smuggling.  
 Grand Jury, Huron District: vide Huron District.

Grange, George J., and William Clarke: vide Roads And Bridges.  
 Grant, Daniel, and others: vide Petitions Presented But Not Read.  
 Grant, Rev. George B. ((or Grout, George R.)), and others: vide Clergy Reserves.  
 Grant, James (of Martintown): vide Elective Franchise.  
 Grant, James (of Winchester), and others: vide Surveying.  
 Grant, James L.  
 Grece, C. C., and others: vide Claims For Damages By Public Works.  
 Grierson, G. H., and others: vide Roads And Bridges.  
 Griffin, Cornelius B.: vide Aliens.  
 Griffin, David, and others: vide Bayham Township.  
 Griffin, Ebenezer C., and others: vide Clergy Reserves.  
 Grout, Rev. George R., and others: vide above, Grant, Rev. George B. ((or Grout, George R.)), and others.  
 Guillet, Louis: vide below, Lafleche, Louis Richard ((Or Richer)), And Louis Guillet.  
 Guillet, V., and others: vide Three Rivers, House Of Correction.  
 Guy, Etienne.

## H

Hale, Edward, and others: vide River Jacques Cartier.  
 Hale, Jeffery, and others: vide Quebec British And Canadian School.  
 Hales, Charles, and others: vide Duties.  
 Hall, Rev. Robert V., and others: vide Universities.  
 Halloday, Noah, and others: vide Surveying.  
 Ham, Richard, and others: vide Aliens.  
 Hamilton and Low, Messrs, and others: vide Lumber.  
 Hammill, John.  
 Hammill, John: vide Grand River Bridges.  
 Hammond, Oliver: vide Post Office Department.  
 Handyside, Adam: vide Duties.  
 Harnez, Thomas, and others: vide Trinity Houses.  
 Harris, Capt. Henry William: vide Divorce.  
 Harris, William, and others: vide Elections, Controverted, Grenville County.  
 Harrison, Robert, and others: vide Elections, Controverted, York County, Third Riding.  
 Harwood, Hon. R. U., and others: vide Roads And Bridges.  
 Hatelie, W. W., and others: vide Roads And Bridges.  
 Hawkins, Alfred.  
 Hayden, E. L.  
 Hayden, E. L., and others: vide Game.  
 Hayes, Thomas, and others: vide below, Heyes ((or Hayes)), Thomas, and others.  
 Healey ((Or Healy)), John.  
 Heath, James G. & Co., and others: vide Bastard Sugar.  
 Hébert, Charles.  
 Hellewell, Thomas, & Brothers, Messrs., and others: vide Duties.  
 Henderson, D., and others: vide Nichol Township.

Heney, R., and others: vide Education And Schools.  
 Henry, John, and others: vide Clergy Reserves.  
 Héroux, M., and others: vide Chasseurs Canadiens.  
 Hertel, Daniel de, and others: vide Winter Roads.  
 Heyes ((or Hayes)), Thomas, and others: vide Roads And Bridges.  
 Hill, Rev. George S. J. (of Caledon), and others: vide Clergy Reserves.  
 Hill, Rev. George S. J. (of Chinguacousy), and others: vide Clergy Reserves.  
 Hill, Rev. George S. J. ((or Rev. S. J.)) (of Perth), and others: vide Clergy Reserves.  
 Hincks, Hon. Francis: vide Elections, Controverted, Oxford County.  
 Hion, Julien.  
 Hobson, Robert, and others: vide Education And Schools.  
 Hobson, Rev. W. H., and others: vide Clergy Reserves.  
 Holmes, A. F., M. D., and others: vide Montreal Medical College.  
 Hoover, Daniel, and others: vide below, Hover ((or Hoover)), Daniel, and others.  
 Hotel Dieu: vide Montreal Hotel Dieu.  
 Houle, Michel, and others: vide Winter Roads.  
 Hover ((or Hoover)), Daniel, and others: vide Haldimand County.  
 Howard, Charles H., and others: vide Elections, Controverted, York County, Fourth Riding.  
 Howard, Henry, M. D., and others: vide Petitons Presented But Not Read.  
 Hunt, Joseph.  
 Hunter, James, M. D.: vide Board Of Works.  
 Huot, Rev. P., and others: vide Roads And Bridges.

## I

Irvine, Adam, and others: vide Tolls.

## J

Jackson, Rev. C. ((or E.)), and others: vide Clergy Reserves; Elections.  
 Jamieson, Rev. Andrew, and others: vide Clergy Reserves.  
 Jarvis, William B.: vide Commuted Pensioners.  
 Jemmings, Richard, and others: vide Duties.  
 Jessup, Hamilton D., and others: vide Ferries.  
 Johnson, James, and others: vide Roads And Bridges.  
 Johnson, Rev. Thomas, and others: vide Clergy Reserves.  
 Johnston, Adam, and others: vide Roads And Bridges.  
 Johnston, Rev. John, and others: vide Clergy Reserves.  
 Johnstone, George, and others: vide Clergy Reserves.  
 Johnstone, John, and others: vide Clergy Reserves.  
 Jones, A., and others: vide Education And Schools.  
 Jones, Capt. Dunham, and others: vide Militia.  
 Jones, George, and others: vide Roads And Bridges.  
 Jones, Rev. William, and others: vide Clergy Reserves.

## K

Keele, William C.

Kennedy, Rev. Thomas S., and others: vide Clergy Reserves.

Kennison, Dudley, and others: vide below, Kerrison ((or Kennison)),  
Dudley, and others.

Kerr, Hon. James.

Kerr, James (of Kingston), and others: vide Kingston.

Kerr, John W., and others: vide Clergy Reserves; Education And Schools.

Kerrison ((or Kennison)), Dudley, and others: vide Universities.

Ketcheson, William, Jr., and others: vide Administration Of Justice;  
Education And Schools; Municipalities, Canada West.

Key, Andrew: vide below, Truax, Caleb.

Keyes ((or Keys)), Flint L., M. D.: vide Aliens.

Kilborn, John, and others: vide Boundary Lines; Duties.

King, Thomas, and others: vide Surveying.

King, Rev. William, and others: vide Clergy Reserves.

Kingston, William: vide below, Steele, John, and William Kingston.

Kirby, John, and others: vide Petitions Presented But Not Read.

Kirkpatrick, John ((or Thomas)), and others: vide Administration Of Justice.

Knight, Albert, and others: vide Education And Schools.

Knight, Rev. Robert, and others: vide Petitions Presented But Not Read.

## L

Labelle, Rev. François, and others: vide Education And Schools.

Lachance, F. X., and other pilots: vide Trinity Houses.

Lacroix, Pierre, And Joseph Bolduc.

Ladies of the Catholic Orphan Asylum of Montreal: vide Montreal Catholic  
Orphan Asylum.

Lafleche, Louis Richard ((Or Richer)), And Louis Guillet.

Laing, James, and others: vide below, Lang ((or Laing)), James, and others.

Lampman, Peter, Sr., and others: vide Universities.

Landon, Wellington, and others: vide Roads And Bridges.

Lang ((or Laing)), James, and others: vide Clergy Reserves.

Lang, Robert, and others: vide Bankrupt Act.

Langevin, Jean: vide Municipalities, Canada East.

Langril, William, and others: vide Usury Laws.

Lannièrre, T. G., and others: vide below, Launièrre ((or Lannièrre)), T. G.,  
and others.

Larocque, C., and others: vide Winter Carriages.

LaRue, A., And Others.

Larue, E., and others: vide Registration.

Lassiseraie, Charles H.

Laughton, William: vide Navigation.

Launièrre ((or Lannièrre)), T. G., and others: vide Roads And Bridges.

Laurence, Hervey: vide below, Lawrence ((or Laurence)), Hervey, and others.

Laurin, Joseph, and others: vide Quebec City.



Lavigne, J. B., and others: vide Winter Carriages.  
 Lawrence, Henry, and others: vide Roads And Bridges.  
 Lawrence ((or Laurence)), Hervey, and others: vide Education And Schools.  
 Layfield, Robert, and others: vide Elections; Roads And Bridges.  
 Leach, Rev. William T., and others: vide Clergy Reserves.  
 Lebourdais, Rev., and others: vide Winter Roads.  
 Leeming, Rev. William, and others: vide Clergy Reserves; Incendiarism.  
 LeMesurier, Henry, and others: vide Quebec Custom House.  
 Lemieux, Edward, and others: vide Duties.  
 Lemlin, Jacques, and others: vide Navigation.  
 Lemoine, William Henry.  
 Léonard, Rev. Jean Claude: vide Pères Oblats.  
 Lépine, Ambroise, and others: vide Winter Roads.  
 L'Espérance, E., and others: vide Roads And Bridges.  
 Levingstone, James, and others: vide below, Livingstone ((or Levingstone)),  
 James, and others.  
 Lewis, J. B., and others: vide Roads And Bridges.  
 Light, Col. A. W.: vide Boundary Lines.  
 Lindsay, Rev. J. Beek, and others: vide Clergy Reserves.  
 Lindsay, W. B., Jr.: vide Translators.  
 Little, James, and others: vide Haldimand County.  
 Livingstone ((or Levingstone)), James, and others: vide Duties.  
 Lloyd, Thomas W., and others: vide Stevedore, Trade Of.  
 Logan, Richard.  
 London Mechanic's Institute.  
 Longueuil, Hon. Baron Grant de, and others: vide Administration Of Justice;  
Railroads.  
 Longworth, Capt. John: vide Claims For Losses During Late Rebellion.  
 Lonsdell, Rev. Richard, and others: vide Clergy Reserves; Universities.  
 Low: vide above, Hamilton and Low, Messrs, and others.  
 Low, Charles A., and others: vide Roads And Bridges.  
 Lozeau, Antoine, and others: vide Feudal Tenure.  
 Lutz, Morris C.: vide Aliens.  
 Lynd, A., and others: vide Holland River.  
 Lyon, John, and others: vide Clergy Reserves.  
 Lyons, Edward: vide above, Binkley, William, and Edward Lyons.

## M

Maberly ((or Moberly)), John, and others: vide Clergy Reserves.  
 MacCuaig ((Or M'Cuaig)), Mrs. Effy, And Others.  
 Macdonald ((Or M'Donald)), Alexander.  
 MacDonell ((or Macdonell)), Very Rev. Angus: vide below, Phelan, Right  
 Rev. Patrick, and Very Rev. Angus MacDonell ((or Macdonell)).  
 MacDonell ((or Macdonell, or M'Donell)), Very Rev. Angus: vide Claims  
For Losses During Late Rebellion; Provincial Penitentiary.  
 Macdonell, George: vide Clergy Reserves.  
 Macgeorge, Rev. R. J., and others: vide Clergy Reserves.

Mack, Rev. Frederick, and others: vide Clergy Reserves.  
 Mackie, Mrs. Emily, and others: vide Quebec Infant School.  
 Mackie, Rev. George, and others: vide Quebec High School.  
 Maclaren, James: vide below, M'Laren ((Or Maclaren)), James.  
 MacLean ((or M'Lean)), Alexander, and others: vide Elections, Contro-  
verted, Stormont County.  
 MacNab, Sir Allan Napier, and others: vide Clergy Reserves.  
 Maçon, Zozime, and others: vide Roads And Bridges.  
 Macpherson ((or M'Pherson)), John, and others: vide Game.  
 Maitland, J. J., and J. C. Becket: vide Postage.  
 M'Allister, Thomas, and others: vide Surveying.  
 Mallock ((Or Malloch)), Edward.  
Manahan, Anthony.  
Marchand, Gabriel.  
 Marquis, D. L., M. D., and others: vide Roads And Bridges.  
 Marsh, Thomas W., and others: vide Clergy Reserves.  
 Martin, John, and others: vide Clergy Reserves.  
 Mason, Archibald: vide St. Lawrence Canal.  
 Masson, P. T. ((or P. J.)), and others: vide Winter Carriages.  
 Mathewson, John, and others: vide Duties.  
 Mathison, J. A., and others: vide Roads And Bridges.  
 Matthewman ((or Matthewson)), Benjamin, And Others.  
 Maxwell, Thomas H., and others: vide Clergy Reserves.  
 Mayor, Aldermen, and Citizens of Montreal: vide Montreal City.  
 Mayor, Aldermen, and Citizens of Quebec: vide Jesuit's Estates; Quebec  
City; Quebec Marine Hospital; Quebec River Police; River St. Charles.  
 Mayor, Aldermen, and Commonalty of Kingston: vide Kingston.  
 M'Bean ((Or McBean)), Archibald, And Others.  
 M'Bean, Archibald, and others: vide Duties.  
 M'Bean, John.  
 M'Call ((or M'Fall)), John, and others: vide Roads And Bridges.  
 McGill College, Faculty of Medicine: vide Colleges.  
 M'Conville, John: vide Academies.  
 M'Cuaig, Mrs. Effy, and others: vide above, MacCuaig ((Or M'Cuaig)),  
Mrs. Effy, And Others.  
 M'Donagh, Michael, and others: vide Roads And Bridges.  
 M'Donald, Alexander: vide above, Macdonald ((Or M'Donald)), Alexander.  
 M'Donald, J., and others: vide Duties.  
 M'Donald, Peter, and others: vide Petitions Presented But Not Read.  
 M'Donell, Very Rev. Angus: vide above, MacDonell ((or Macdonell, or  
M'Donell)), Very Rev. Angus.  
 M'Donell, Archibald, and others: vide Roads And Bridges.  
 M'Donnell ((or M'Donell)), Murdoch, and others: vide Roads And Bridges.  
 M'Dougal, Daniel: vide Niagara Town.  
 Members of the Corporation of the College of L'Assomption: vide above,  
College of L'Assomption, Corporation of.  
 Meredith, H. H., and others: vide Port Hope And Rice Lake Plank Road.  
 Merklie, Henry: vide above, Frymer, Conrad, and Henry Merklie.

- Merizzi ((or Merrizzi)), Antoine: vide below, Odell, Loop, and Antoine Merizzi ((or Merrizzi)).
- Merlin, Rev. John: vide Elections.
- Merry, Jonathan, and others: vide Bolton And Hatley Townships.
- Meyers, E., and others: vide Clergy Reserves.
- M'Fall, John, and others: vide above, M'Call ((or M'Fall)), John, and others. M'Gowan, Patrick.
- M'Gregor, Alexander.
- M'Gregor, Daniel, and others: vide Petitions Presented But Not Read.
- Mignault, P. E., and others: vide Registration.
- Mignault, Rev. P. M., and others: vide Roads And Bridges.
- Mignault, Rev. Pierre M.: vide Colleges.
- Miles, Thomas, and others: vide Manufactures.
- Miller and Brothers, Messrs., and others: vide Duties.
- Miller, James, and others: vide Education And Schools.
- Miller, John, and others: vide Surveying.
- Millette, Louis: vide above, Corbett James, Alexis Paulet, and Louis Millette.
- Milne, Rev. George, M. A., and others: vide Clergy Reserves.
- M'Intosh, Donald, and others: vide Education And Schools; Municipalities, Canada East; Roads And Bridges.
- M'Intyre, Rev. John, and others: vide Clergy Reserves.
- Mitchell, Michael, and others: vide Education And Schools.
- Mittleberger, H., and others: vide St. Catharines.
- M'Kay, Robert, and Peter: vide St. Lawrence Canal.
- M'Kenzie, John D., and others: vide Surveying.
- M'Killop, Archibald, and others: vide Petitions Presented But Not Read.
- M'Kinnon, A. ((or Neil)), and William F. Wallace: vide Harbours.
- M'Laren ((Or Maclaren)), James.
- M'Lean, Alexander, and others: vide above, MacLean((or M'Lean)), Alexander, and others.
- M'Leod, Alexander.
- M'Leod, Daniel, and others: vide Roads And Bridges.
- M'Manus, George, and others: vide Roads And Bridges.
- M'Micking, Gilbert.
- M'Micking, Gilbert, and others: vide Elections, Controverted, Lincoln County, South Riding.
- M'Murray, Rev. William, and others: vide Clergy Reserves.
- M'Nair, L. J., and others: vide Roads And Bridges.
- M'Naughton, E., and others: vide Roads And Bridges.
- Moberly, John, and others: vide above, Maberly ((or Moberly)), John, and others.
- Moderator and Presbytery of Montreal: vide below, Montreal Presbytery.
- Mohawk Nation: vide Indians.
- Molloy, Garret: vide Board Of Works.
- Molson, William, and others: vide Montreal City.
- Mondelet, Hon. D., and others: vide Education And Schools.
- Monserrat ((or Monsarrat)), Charles, and others: vide Clergy Reserves.

- Montgomery, John, and others: vide Roads And Bridges.  
 Montreal Agricultural Society: vide Winter Carriages.  
 Montreal Bible Society: vide Postage.  
 Montreal Board Of Trade.  
 Montreal Board of Trade: vide Duties; Montreal City; Montreal Harbour; Navigation; Quebec Forwarding Company; Railroads; Trinity Houses; Usury Laws.  
 Montreal British And Canadian School.  
 Montreal Catholic Orphan Asylum.  
 Montreal General Hospital: vide Hospitals.  
 Montreal Ladies' Benevolent Society.  
 Montreal Lying-in Hospital.  
 Montreal Natural History Society.  
 Montreal Presbytery: vide Elections.  
 Montreal Protestant Orphan Asylum.  
 Montreuil, Charles Juneau de: vide DeMontreuil, Charles Juneau.  
 Moore, William H., and others: vide Clergy Reserves.  
 Morden, Thomas, and others: vide Clergy Reserves.  
 Morgan, Thomas: vide Statute Of Limitations.  
 Morin, Capt. J., and others: vide Roads And Bridges.  
 Morin, Rev. M., and others: vide Terrebonne County.  
 Morin, P. H., and others: vide Claims For Losses During Late Rebellion.  
 Morin, William, and others: vide below, Morrin ((or Morin)), William, and others.  
 Morrill, Simeon: vide below, Notman, William, Alexander Anderson, and Simeon Morrill.  
 Morrin ((or Morin)), William, and others: vide Roads And Bridges.  
 Morris, Rev. Charles, and others: vide Clergy Reserves.  
 Morris, Rev. William, and others: vide Clergy Reserves.  
 Morrison, W., And Others.  
 Morse, William, and others: vide Clergy Reserves.  
 Mortimer, George, and others: vide Clergy Reserves.  
 Mortimer, Rev. George, and others: vide Clergy Reserves.  
 Morton, James, and others: vide Duties.  
 Mountain, Miss, and others: vide Quebec Female Orphan Asylum.  
 Mountain, Mrs. M. H., and others: vide Quebec Male Orphan Asylum.  
 M'Phee, John, and others: vide Roads And Bridges.  
 M'Pherson, John, and others: vide above, Macpherson ((or M'Pherson)), John, and others.  
 Munger, Joseph, Sr., and others: vide Tobacco.  
 Municipal Council, Bathurst District: vide Roads And Bridges; Universities.  
 Municipal Council, Dalhousie District: vide Gloucester Township.  
 Municipal Council, Gore District: vide Education And Schools.  
 Municipal Council, Home District: vide Education And Schools; Municipal-ities, Canada West; Toronto Gaol.  
 Municipal Council, Huron District: vide Williams Township; Railroads.  
 Municipal Council, Johnstown District: vide Assessments; Education And Schools; Escott Township; Roads And Bridges.



Municipal Council, Midland District: vide Kingston; Municipalities, Canada West; Roads And Bridges.  
 Municipal Council, Missisquoi District: vide Missisquoi District; Roads And Bridges.  
 Municipal Council, Niagara District: vide Education And Schools; Municipal District Of Niagara.  
 Municipal Council, Sherbrooke District: vide Railroads.  
 Municipal Council, Simcoe District: vide Assessments; Education And Schools; Gwillimbury West; Holland River; Insane; Land Taxes; Municipalities, Canada West; Postage; Registration.  
 Municipal Council, St. Hyacinthe District: vide Colleges; Municipalities, Canada East.  
 Municipal Council, Talbot District: vide Limits And Divisions; Townships, Midland District.  
 Municipal Council, Victoria District: vide Administration Of Justice; Education And Schools; Roads And Bridges.  
 Municipal Council, Western District: vide Duties; Municipalities, Canada West; Roads And Bridges.  
 Municipal County, Municipal District Rimouski: vide Rimouski District.  
 Munro, Dugald, and others: vide Clergy Reserves.  
 Mutual Fire Insurance Company of Montreal: vide Insurance.  
 Mutual Insurance Company, Home District: vide Insurance.

## N

Neilson, Johnston: vide Aliens.  
 Nelles, Rev. Abraham, and others: vide Clergy Reserves.  
 Nesbitt, H., and others: vide Sherrington Township.  
 Newlove, Love, and others: vide Roads And Bridges.  
 Neyron, Rev. Raphael: vide Claims For Losses During Late Rebellion.  
 Nickson ((or Nixon)), Robert, and others: vide Harbours.  
 Norman ((or Normand)), Edouard: vide Ferries.  
 Notman, William: vide Elections, Controverted, Middlesex County.  
 Notman, William, Alexander Anderson, and Simeon Morrill: vide Elections, Controverted, Middlesex County.  
 Nourrie, Etienne P., and others: vide Winter Carriages.  
 Nutbrown, James, and others: vide Roads And Bridges.

## O

O'Beirne, M. T., and others: vide Education And Schools.  
 O'Brien, Edward G., and others: vide Education And Schools.  
 O'Brien, William, and others: vide Tavern Keepers.  
 Odell, Loop, and others: vide Claims For Losses During Late Rebellion.  
 Odell, Loop, and Antoine Merizzi ((or Merrizzi)): vide Gaols And Court Houses.  
 Odell, Oliver, and others: vide Medicine, Surgery, And Midwifery.  
 Ogden, William.

O'Hara, H., and others: vide Petitions Presented But Not Read.  
O'Keefe ((Or O'Keeffe)), George.

O'Meara, Rev. Frederick A., and others: vide Clergy Reserves.

O'Reilly, Miles, and others: vide Education And Schools.

Orfroy, Rev. Urbain, and others: vide Registration.

Ort, Henry: vide Aliens.

Ostell, John, and others: vide Montreal Mechanics' Institute.

Ouellet, Joseph: vide Census.

Ouellette, Jean F.

Owens, Robert, and others: vide Clergy Reserves.

## P

Pacaud, Louis E.: vide Bankrupt Act.

Padfield, James, and others: vide Clergy Reserves.

Paguin, Rev. J., and others: vide below, Paquin ((or Paguin)), Rev. J.,  
and others.

Painchaud, Joseph, and others: vide Quebec Medical School.

Palmer, Charles, and others: vide Roads And Bridges.

Pangman, J., and others: vide Clergy Reserves.

Papineau, Pierre, And Others.

Paquin, Elie, and others: vide Winter Carriages.

Paquin ((or Paguin)), Rev. J., and others: vide Claims For Losses During  
Late Rebellion.

Parsons, Edmund H., and others: vide Reporters.

Paterson, James, and others: vide Roads And Bridges.

Paterson, John, and others: vide Dundas Town.

Patrick, Alfred.

Patton, Rev. Henry, and others: vide Clergy Reserves; Petitions Presented  
But Not Read.

Paulet, Alexis: vide above, Corbett, James, Alexis Paulet, and Louis  
Millette.

Payment, Stephen, and others: vide Winter Carriages.

Peacock, William.

Peirsons, James, and others: vide Piersons ((or Peirsons)), James, and  
others.

Pentland, Rev. John, and others: vide Clergy Reserves.

Pepin, Rev. Thomas, and others: vide Winter Carriages.

Perchard, James, Abraham Coffin, and others: vide Fish And Fisheries.

Petrie, Rev. George, and others: vide Clergy Reserves.

Petry, William: vide above, Bonner, John, And William Petry.

Phelan, John, and others: vide Roads And Bridges.

Phelan, Right Rev. Patrick: vide below, Power, Right Rev. Michael, and  
Right Rev. Patrick Phelan.

Phelan, Right Rev. Patrick, and Very Rev. Angus MacDonell ((or Macdonell)):  
vide Colleges.

Phillips, Rev. Thomas.

Piersons ((or Peirsons)), James, and others: vide Surveying.

Pigott, Mrs. Jane.

Pine, Leonard: vide Duties.

Playfair, A. W., Sr., and others: vide Elections, Controverted, Lanark County.

Plees, Rev. R. G., and others: vide Clergy Reserves.

Pomroy, Benjamin, and others: vide Roads And Bridges.

Porlier, Rev. F. P., and others: vide Education and Schools.

Porter, James, and others: vide Duties.

Porter, Richard Charles, and others: vide Elections, Controverted, Megantic County.

Poston, Charles, and others: vide Quarantine.

Pouliat ((or Pouliot)), Rev. P., and others: vide Winter Carriages.

Power, Right Rev. Michael, and Right Rev. Patrick Phelan: vide Roman Catholic Bishops Of Toronto And Kingston.

Pozer, George.

Pratt, Louis, and others: vide Winter Carriages.

President and Board of Police, town of Cobourg: vide Cobourg Town.

President, Directors, and Company, Bronte Harbour: vide Harbours.

President and Managers, Charitable Association of the Roman Catholic Ladies of Quebec: vide Quebec Charitable Association.

Price, James Hervey: vide Montgomery's Estate.

Price, Samuel, and others: vide Tolls.

Pridham, Edward ((or Edwin)), and others: vide Roads And Bridges.

Primeaux, Rev. C. J., and others: vide Duties; Roads And Bridges.

Primrose, Mrs. Percy, and others: vide Quebec Charles Street Infant School.

Proudlock, Thomas: vide Navigation.

Proulx, Rev. Louis (of Dorchester), and others: vide Roads And Bridges.

Proulx ((or Proul)), Rev. Louis (of Lotbinière), and others: vide Roads And Bridges.

Provincial Committee, Montreal Temperance Society: vide Petitions Presented But Not Read.

Pulsford, Robert, and others: vide Trust And Loan Company.

Pyke, Rev. George, and others: vide Clergy Reserves.

## Q

Quebec Board of Trade: vide Duties; Lumber.

Quebec British And Canadian School.

Quebec Charitable Association.

Quebec Charitable Firewood Society: vide Quebec Firewood Society.

Quebec Debating Society.

Quebec Education Society.

Quebec Trinity House: vide Trinity Houses.

Queen's College Trustees: vide Universities.

## R

Rea, Alexander.

Rea, William, and others: vide Journals.  
 Reid, James, and others: vide Education And Schools.  
 Reid, Hon. James, and others: vide Insane.  
 Reid, Rev. James, and others: vide Clergy Reserves; Universities.  
 Reid, John, and Robert Sheppard ((or Shepherd)): vide St. Lawrence Canal.  
 Religious Ladies of Our Lady of Montreal: vide Les Soeurs De La Congr -  
gation Notre Dame De Montr al.  
 Reynolds, William, and others: vide Nichol Township.  
 Rice, Israel.  
 Rich, William B., and others: vide Petitions Presented But Not Read.  
 Richardson, Charles, and others: vide Roads And Bridges.  
 Richardson, Hugh, and others: vide Harbours.  
 Richer, Jean Baptiste, Sr., and others: vide Claims For Losses During  
Late Rebellion.  
 Ridout, George P., and others: vide Duties.  
 Ritchie, James W., and others: vide Railroads; Roads And Bridges.  
 Ritchie, William: vide Registration.  
 Ritchie, William, and William Walker: vide Academies.  
 Robertson, George, and others: vide Claims For Damages By Public Works.  
 Robertson, Rev. James, and others: vide Universities.  
 Robinson, Hon. J. B., and others: vide Universities.  
 Robinson, Thomas W., and others: vide Roads And Bridges.  
 Rogers, Joseph, and others: vide Winter Roads.  
 Rolland, Hon. J. R., and others: vide Roads And Bridges.  
 Rolph, George: vide Dundas Town.  
 Rombough ((or Rombaugh)), Jacob, and others: vide Clergy Reserves.  
 Rose, Charles, and others: vide Roads And Bridges.  
 Ross, Rev. E. G. W., and others: vide Clergy Reserves.  
 Ross, Rev. G. M., and others: vide Clergy Reserves.  
 Ross, Robert, and others: vide Education And Schools.  
 Rousseau, L on: vide Elections, Controverted, Yamaska County.  
 Rowe, George, and others: vide Duties.  
 Roy, Hon. Gabriel, and others: vide Roads And Bridges.  
 Roy, Mrs. Jennet.  
 Russell, John, and others: vide Duties.  
 Ruthven, James, and others: vide Roads And Bridges.  
 Rutledge, G., and others: vide Boundary Lines.  
 Ryland, G. H.

## S

Sache, Henry W., and others: vide Conveyancing.  
 St. Andrew's Church: vide Education And Schools.  
 Sanson, Rev. Alexander, and others: vide Clergy Reserves.  
 Sanson, James, and others: vide Roads And Bridges.  
 Schneider, Rev. Theobald, and others: vide Evangelical Association.  
 Schryer, Orange.  
 Scott, Rev. Joseph, and others: vide Clergy Reserves.



Scott, Robert, and others: vide Education And Schools.  
 Scott, Thomas: vide St. Lawrence Canal.  
 Scriver, John, and others: vide Clergy Reserves.  
 Seabrook, Joseph, and others: vide Education And Schools.  
 Shade, Absalom, and others: vide Clergy Reserves.  
 Shaw, George.  
 Shaw, Richard, and others: vide Petitions Presented But Not Read.  
 Shefford Academy: vide Academies.  
 Sheppard, Robert: vide above, Reid, John, and Robert Sheppard ((or Shepherd)).  
 Shepherd, John, and others: vide Clergy Reserves.  
 Sheppard ((or Shepherd)), William, and others: vide Quebec Turnpike Roads.  
 Sherrill, Rev. E. J., and others: vide Universities.  
 Shirley ((or Shirley)), Paul, and others: vide Clergy Reserves.  
 Shortt, Jonathan, and others: vide Clergy Reserves.  
 Sills, John, and others: vide Clergy Reserves.  
 Silverthorn, Aaron, And James Eakins.  
 Simard, T. A., and others: vide Feudal Tenure.  
 Simpson, W., and others: vide Education And Schools.  
 Sisters of Charity: vide Montreal Sisters Of Charity.  
 Slack, Rev. George, and others: vide Clergy Reserves; Universities.  
 Slaght, Aaron, and others: vide Roads And Bridges.  
 Small, James Edward.  
 Small, James Edward: vide Petitions.  
 Smith, Alexander, and others: vide Duties.  
 Smith, Charles, and Anthony Anderson: vide River St. Charles.  
 Smith, Henry: vide Provincial Penitentiary.  
 Smith, Henry, Jr., and others: vide Duties.  
 Smith, Hiram, and others: vide Clergy Reserves.  
 Smith, Hollis, and others: vide Railroads.  
 Smith, Jacob, and others: vide Roads And Bridges.  
 Smith, Joel, and others: vide Education And Schools.  
 Smith, John.  
 Smith, Joseph, M. D., and others: vide Winter Carriages.  
 Smith, William, and others: vide Roads And Bridges.  
 Smolinski, Joseph.  
 Snell, Mrs. Mary Anne.  
 Somerville, Joseph ((or John)), and others: vide Roads And Bridges.  
 Southworth, Joseph, and others: vide Roads And Bridges.  
 Sparks, Nicholas, And Others.  
 Spaun, Mrs. Dorothy E.  
 Squire, A. C., and others: vide Clergy Reserves.  
 Stanton, Robert, and others: vide Universities.  
 Stayner, John, and others: vide Brock's Monument.  
 Stayner, T. A., and others: vide Municipalities, Canada East.  
 Steele ((or Steel)), John, and others: vide Duties.  
 Steele, John, and William Kingston: vide Education And Schools.  
 Steele, Solomon, and others: vide Roads And Bridges.

Stevenson, George, and others: vide Kent County.  
 Stewart, Ven. George O'Kill: vide below, Stuart ((or Stewart)), Ven.  
     George Okill ((or O'Kill)), L. L. D., and others.  
 Stiles, Ariel, and others: vide Universities.  
 Street, Rev. George C., and others: vide Clergy Reserves.  
 Strickland, John: vide Board Of Works.  
 Strong, S. S., and others: vide Clergy Reserves.  
 Stuart ((or Stewart)), Ven. George Okill ((or O'Kill)), L. L. D., and  
     others: vide Kingston.  
 Stuart, Lady, and others: vide Quebec Infant School.  
 Sweetman ((or Swetman)), William: vide Light Houses.  
 Syder, J. H., and others: vide Clergy Reserves.  
 Syer, Thomas, and others: vide Education And Schools.  
 Sykes, Samuel S., and others: vide Petitions Presented But Not Read.

## T

Tait, John: vide St. Lawrence Canal.  
 Talbot District Agricultural Society: vide Agriculture.  
 Tanguay, Honoré: vide Translators.  
 Taschereau, Antoine C.  
 Taunton, James, and others: vide Clergy Reserves.  
 Taylor: vide above, Freeland, and Taylor, Messrs., and others.  
 Taylor, Rev. Robert J. C., and others: vide Clergy Reserves.  
 Taylor, S. M., and others: vide Roads And Bridges.  
 Taylor, T. J., and others: vide Universities.  
 Taylor, Rev. W., and others: vide Religious Societies.  
 Teed, John.  
 Tennant, George, and others: vide Clergy Reserves.  
 Tennant, William: vide below, Whitlaw, John, and William Tennant.  
Tétu, Magloise ((or Magloire)).  
 Therien, Benjamin, and others: vide Roads And Bridges.  
 Thompson ((or Thomson)), Flora: vide Divorce.  
 Thompson, Henry G.  
 Thompson, John, and others: vide Clergy Reserves.  
 Thompson, Joseph R., and others: vide Roads And Bridges.  
 Thompson, William, and others: vide Roads And Bridges.  
 Thomson, Flora: vide above, Thompson ((or Thomson)), Flora.  
 Thurber, William, M. D., and others: vide Administration Of Justice.  
 Tobey, Prince: vide Aliens.  
 Tod, Andrew: vide Commuted Pensioners.  
 Tomlinson, John, and others: vide Clergy Reserves.  
 Toronto Board of Trade: vide Boards Of Trade.  
 Toronto Church Society: vide Clergy Reserves.  
 Toronto (City) and Lake Huron Railroad Company: vide Railroads.  
 Torrance, David, and others: vide Montreal High School.  
 Tourangeau, J. G., and others: vide River St. Charles.  
 Townley, Rev. Adam, and others: vide Clergy Reserves; Education And Schools.

Townsend, Rev. M. (of Quebec), and others: vide Clergy Reserves.  
 Townsend, Rev. M. (of Rouville), and others: vide Academies.  
 Tremblay, Laurent, and others: vide Trinity Houses.  
 Trigge, T., and others: vide Quebec National School.  
 Trim, Patrick, and others: vide Duties.  
 Truax, Caleb: vide St. Lawrence Canal.  
 Trudel, D., and others: vide Winter Roads.  
 Trudel, O., and others: vide Feudal Tenure.  
Turgeon, Charles.  
 Turgeon, J. O. A., and others: vide Winter Carriages.

## U

Ursuline Ladies of Three Rivers: vide Ursuline Convent.

## V

Vallerand, Flavien.  
 Vallière ((or Vallières)) de St. Réal, Hon.: vide Royal Institution.  
 Valois, M. F., and others: vide Roads And Bridges.  
 Valois, Simon, and others: vide Montreal City.  
 Vanfelson, G., and others: vide Administration Of Justice.  
 Varin, Joseph, and others: vide Montreal Medical College.  
 Vauloon, John, and others: vide Boundary Lines.  
Vaux, Thomas.  
 Vezina, Pierre: vide Insane; Three Rivers.  
 Von Rohr, Rev. Henry: vide Aliens.

## W

Wadsworth, R. M.: vide above, Dougall, John, and R. M. Wadsworth.  
 Waitier, P., and others: vide below, Watier ((or Waitier)), P., and others.  
 Walker, William: vide above, Ritchie, William, and William Walker.  
 Walker, Hon. William, and others: vide Quebec Library Association.  
 Wallace, F. William: vide above, M'Kinnon, A. ((or Neil)), and William F. Wallace.  
 Waller, Smithson, and others: vide Education And Schools.  
 Warr, Rev. George W., and others: vide Education And Schools.  
 Washburn, Simeon: vide Claims For Losses During Late War.  
 Waters, W. H., and others: vide Roads And Bridges.  
 Waterson, John P., and others: vide Lumber.  
 Watier ((or Waitier)), P., and others: vide Board Of Works.  
 Webster, Edward, and others: vide Navigation.  
 Webster, Ephraim, and others: vide Navigation.  
 Weir, John G., and others: vide Lands Public.  
 Weldon, G., and others: vide Feudal Tenure.  
 Wells, A., and others: vide Roads And Bridges.

Wetenhall, John, and others: vide Clergy Reserves.  
 Whitcher, Charles, and others: vide Roads And Bridges.  
 White, Charles, and others: vide Aliens.  
 White, John (of Dundas), and others: vide Fish And Fisheries.  
 White, John (of Hamilton), and others: vide Aliens.  
 White, Thomas (of Montreal), and others: vide Duties.  
 White, Thomas (of Trafalgar), and others: vide Clergy Reserves.  
 Whiteford, John, and others: vide Three Rivers.  
 Whitlaw, John, and William Tennant: vide Chambly Canal.  
 Whitten, Rev. A. T., and others: vide Clergy Reserves.  
 Whittier, William W., and others: vide Surveying.  
 Whitwell, Rev. R. ((or E.)), and others: vide Clergy Reserves; Universities.  
 Widder, Frederick: vide Huron District.  
 Wilcox, Leonard.  
 Willard, Charles, and others: vide Duties.  
 Williams, Adolphus.  
 Williams, Rev. Alexander, and others: vide Clergy Reserves.  
 Williams, Alvan, and others: vide West Bolton Township.  
 Williams, H.: vide Aliens.  
 Williams, John, and others: vide Agriculture.  
 Williamson, John, and others: vide Roads And Bridges.  
 Willoughby, Rev. Mark: vide Education And Schools.  
 Willoughby, Rev. M., and others: vide Clergy Reserves.  
 Wilson, Alfred, and others: vide Roads And Bridges.  
 Wilson, Daniel A., and others: vide Winter Carriages.  
 Wilson, Duncan.  
 Wilson, James: vide Claims For Losses During Late Rebellion.  
 Wilson, Rev. J., and others: vide Education And Schools.  
 Wilson Jeremiah, and others: vide Clergy Reserves.  
 Wilson, William, and others: vide Duties.  
 Wilson, William M., and others: vide Aliens.  
 Wolff, Alexander Joseph.  
 Wood, Capt. Alonzo, and others: vide Railroads.  
 Wood, Samuel, and others: vide Elections, Controverted, Lincoln County, North Riding.  
 Wood, Rev. Samuel, and others: vide Clergy Reserves.  
 Wood, William, and others: vide Claims For Damages By Public Works.  
 Woodcliff, T. B.: vide above, Gooding J. K., and T. B. Woodcliff.  
 Woolrich, Mrs. Mehettable Shaw.  
 Wright, George, and others: vide Roads And Bridges.  
 Wright, P., and others: vide Clergy Reserves.  
 Wright, Ruggles, and others: vide Lumber.

## Y

Young, Bernard ((or Barnard)), And Alanson Cummings, And Others.  
 Young, Brooke, and others: vide Petitions Presented But Not Read.  
 Young, Samuel, and others: vide Roads And Bridges.  
 Yule, John, Jr.: vide Tolls.



## PETITIONS PRESENTED BUT NOT READ

Archibald, John, and others, (60) 411.  
 Campbell, Robert F., and others, (131) 734.  
 Grant, Daniel, and others, (60) 411.  
 Howard, Henry, M. D., and others, (176) 983.  
 Kirby, John, and others, (176) 983.  
 Knight, Rev. Robert, and others, (424) 2516.  
 M'Donald, Peter, and others, (176) 983.  
 M'Gregor, Daniel, and others, (360) 2163.  
 M'Killop, Archibald, and others, (341) 2014.  
 O'Hara, H., and others, (250) 1438.  
 Patton, Rev. Henry, and others, (60) 411.  
 Provincial Committee, Montreal Temperance Society, (145) 804.  
 Rich, William B., and others, (311) 1846.  
 Shaw, Richard, and others, (354) 2135.  
 Sykes, Samuel S., and others, (424) 2516.  
 Young, Brooke, and others, (131) 734.

PHILLIPS, REV. THOMAS:--Petition of, that his Salary may be continued as Chaplain to late House of Assembly of Upper Canada, (9) 50, (14) 111.

PHYSIC AND SURGERY:--Vide Medicine, Surgery, And Midwifery.

PIGOTT, MRS. JANE:--Petition of, that the grant in favour of her late husband, be renewed in her favour, (40) 300, (53) 366-367.

PILOTS:--Bill to compel Pilots to qualify themselves for piloting vessels through all the channels of the River St. Lawrence, below Quebec, presented and read, (237) 1332. Read second time; Committed, (359) 2154-2155. Petitions of Laurent Tremblay, and others, and of D. Girard, and others, also committed, (360) 2165, (373) 2218. Considered, (424) 2513. Petition of D. Girard, and others, against the Bill, (350) 2112, (360) 2164. Also committed, (373) 2218.

-----Vide also Hion, Julien; Trinity Houses.

PLANK ROADS:--Vide Niagara Plank Road; Port Hope And Rice Lake Plank Road; Roads And Bridges.

PLANTATION VESSELS:--Bill to secure the right of Vessels navigating the Inland Waters of this Province, &c., presented and read, (92) 545. Read second time, (254) 1487. Committed, (254) 1487-1488. Considered, (262) 1539-1540, (275) 1611, (340) 2002-2005. Reported, (340) 2005. Vide Questions Negatived, (43.) Passed, (341) 2016. By the Council, (361) 2165. Royal Assent, (370) 2205-2206. (8 Vic., cap. 5.)

PLURALITY OF OFFICES:--Vide Addresses, (79.)

POLICE FORCE:--Vide Addresses, (107.); Cobourg Town; Montreal Police; Sherbrooke Town.

POLITICAL OFFENDERS:--Vide Addresses, (50.); Return Of Convicts.

POLITICAL RIGHTS:--Vide Aliens.

POPULATION RETURNS:--Vide Census.

PORT BURWELL:--Vide Harbours.

PORT HOPE HARBOUR:--Vide Harbours.

PORT HOPE AND RICE LAKE PLANK ROAD:--Petition of John Campbell; of John Fogarty ((or Fogartey)), and others; of H. H. Meredith, and others, for liquidation of claims for work on said Road, (354) 2135, (367) 2196.

POST OFFICE DEPARTMENT:--Return to Address of 17 October 1843, for correspondence between the Home and Provincial Governments thereon, (49-50) 347-348. Referred, (211) 1180. Vide Postage.

-----Petition of Oliver Hammond, against unjust and oppressive conduct of the Deputy Postmaster, at the Office of River Credit, (250) 1438, (256) 1497. Referred, (337) 1987.

-----Two Despatches on transmission of the Mail by Nova Scotia, and by the United States, (401-402) 2431-2433.

-----Vide also Addresses, (16, 42, 54, 75, 119.); Governor General, Messages From His Excellency, (8.); Questions Negatived, (3.)

POSTAGE:--Petition of Montreal Bible Society, for a cheap and uniform Postage, (125) 711, (133) 738. Petition of John Dougall, and R. M. Wadsworth, the same, (170) 949. Of J. J. Maitland, and J. C. Becket, (182) 1019, (194) 1098. Of Municipal Council, district of Simcoe, the same, (341) 2015, (351) 2114.

-----Petition of J. J. Maitland, and J. C. Becket, referred to Select Committee; also the Message of His Excellency, (Governor General, Messages From His Excellency, (8.) ), on the subject of the Post Office, (211) 1179-1180. Vide Post Office Department. Also Return to Address, of 17 October 1843, on same subject, (211) 1180. Also Return to Address (Addresses, (66.) ), same subject, (214) 1190. And Petition of Oliver Hammond, (337) 1987. Report, (424) 2516.

-----Vide also Contingencies.

POZER, GEORGE:--For relief, against removal of certain door-steps in city of Quebec, (14) 110, (23) 220. Referred, (48-49) 344.

PRACTICAL SCIENCES:--Select Committee to inquire into the expediency of establishing Public Chairs for teaching the same, to the Mechanical Classes of Quebec and Montreal, (261) 1536.

PRACTICE OF THE LAW:--Petition of James Breakenridge, that fees may be reduced and the practice of the law simplified, (169) 948, (177) 986.

-----Petition of Andrew N. Buell, and others, Practitioners of the Law, for certain alterations in the practice of the Law Courts, (275) 1616, (288) 1669. Referred, (288) 1670. Petition of Andrew N. Buell, and others, respecting the Law Society of Upper Canada, also referred, (288) 1670. Bill reported, (328) 1946. Vide Administration Of Justice.

PRESBYTERIAN CLERGY:--Question regarding allowances to Scoten Synod, 379. Answer, 380.

PRESBYTERIAN CONGREGATIONS:--Petition of William Begg, and others, for mutual peace and prosperity of Presbyterian Congregations of Canada, (311) 1845, (323) 1926.

PRESERVATION OF THE PEACE:--Vide Outrages On Public Works.

PREVIOUS QUESTION:--Vide Questions, Previous.

PRINCE ALBERT:--Letter from, thanking this House for their Address of Congratulation on the Birth of Prince Alfred, (299) 1764-1765.  
-----Vide also Addresses, (9.)

PRINTING:--All Bills and Documents presented to the House, to be Printed in the English and French Languages in equal proportions, (84) 495.

-----Matters ordered to be Printed, (4) 22, (10) 55, (38) 288-289, (49) 345, (54) 372, (57) 389, (61) 413, (62) 415, (74) 460, (91) 542, (128) 719, (146) 807, (147) 809, (168) 908, (170) 951, (178) 990, (185) 1029, (186) 1032, (190) 1054-1055, (196) 1104-1105, (204) 1137, (213) 1186, (214) 1190, (227) 1278, (253) 1475, (261) 1536, (284) 1655, (291) 1682, (294) 1696, (297) 1745, (306) 1811-1812, 1812, (315) 1860, (319) 1903, (328) 1946-1947, (337) 1992, (339) 1996, (349) 2063, (356) 2142, (359-360) 2161-2162, (368) 2197, 2199, (375) 2278, (378) 2294, (384) 2321, (385) 2323, (389) 2392, (403) 2441, 2442, (408) 2457, (413) 2478, (422) 2506, (427) 2523, (428) 2526, 2529.

-----Bill to regulate Printing of the Laws. Notice of Motion, 23. Bill presented and read, (9) 40-41. Order for second reading, (143) 792-793. Order of the Day superseded, (209) 1168-1169. Bill withdrawn, 1171.

-----Vide also Addresses, (21.); Laws.

-----Standing Committee on, appointed, (38) 287. FIRST REPORT, (Session Work.) Agreed to, (90) 536-538. SECOND REPORT; To be considered, (105) 619. Considered and agreed to, (136) 748. THIRD REPORT, (Tenders for Printing JOURNALS of Session), (244) 1403-1405. Concurred in, (252) 1475.

PRIVILEGES AND ELECTIONS:--Standing Committee on, appointed, (38) 286.

PRIVILEGES OF LEGISLATIVE ASSEMBLY:--Motion to consider a certain paragraph in the "Montreal Herald and Daily Advertiser" of 28 January 1845, respecting certain Members, on the North Riding of county of Lincoln

contested Election Committee, to be a breach of privilege, negatived, on division, (208-209) 1165-1167.

PROFANATION OF THE LORD'S DAY:--Bill to prevent the Profanation of the Lord's Day, commonly called Sunday, presented and read, (294) 1692-1693. Second reading discharged, (297) 1745. Bill withdrawn, (297) 1745-1746.  
-----Bill to prevent the Profanation of the Lord's Day, commonly called Sunday, in Upper Canada, presented and read, (299) 1765. Read second time; Committed, (344) 2025. Considered, (344) 2025-2028. Reported, (347) 2057. Passed, (350) 2113. By the Council amended, (376) 2282. Amendments considered, (381-382) 2305-2306. Agreed to, (382) 2306. Royal Assent, (440) 2568. (8 Vic., cap. 45.)

PROVINCE LINE:--Petition of Saveuse DeBeaujeau ((or DeBeaujeu)), that the Line separating Upper and Lower Canada be definitely settled, (3) 20, (8) 38. Referred, (10) 51. Petition of George R. S. DeBeaujeu, that no proceedings be had on a certain Petition, for division line between Upper and Lower Canada, previous to his being heard on the subject, (388) 2384, (412) 2476.

-----Report of Alphonso Wells on division line between Upper and Lower Canada, laid before the House, (192) 1075-1076.

-----Message with Reports relating to the Boundary between Canada and New Brunswick, (255) 1489.

-----Vide also Addresses, (34, 64.); Governor General, Message From His Excellency, (20.)

PROVINCIAL PENITENTIARY:--Petition of Henry Smith, Warden, for an increase of Salary, (4) 27, (12) 65. Of Very Rev. Angus MacDonell ((or Macdonell, or M'Donell)), for remuneration to the Catholic Chaplain attending the Convicts therein, (22) 217, (34) 266.

-----Annual Report of Provincial Penitentiary for 1844, presented, (80) 484.

PROVINCIAL REVENUE:--Vide Addresses, (51.)

PUBLIC ACCOUNTS:--Vide Revenue And Expenditure.

PUBLIC IMPROVEMENTS:--Bill to amend Act 4 and 5 Vic., cap. 28, appropriating certain sums of money for Public Improvements, presented and read, (364) 2175. Read second time; Committed; Considered; Reported, (377) 2290. Passed, (382) 2308. By the Council, (387) 2363. Royal Assent, (440) 2568. (8 Vic., cap. 75.)

-----Vide also Addresses, (23, 73.); Board Of Works; Claims For Damages By Public Works; Outrages On Public Works; Public Works.

PUBLIC LANDS:--Vide Lands, Public.

PUBLIC RECORDS:--Vide Ancient Archives.



PUBLIC WORKS:--Petition of James Breakenridge, that a stop be put to the draining off to the United States of all the money expended on Public Works, (169) 948, (177) 986.

Q

QUALIFICATIONS FOR OFFICE:--Petition of James Breakenridge, praying that no man of doubtful loyalty be recommended to office and for a revival of forty shilling act, (169) 948, (177) 986.

QUARANTINE:--Petition of Charles Poston, and others, for removal of Quarantine Station from Grosse Isle to St. Charles, (33) 264, (47) 338.

QUEBEC:--Vide Jurisprudence; King's Posts; Registrars; River St. Charles.

QUEBEC BOARD OF TRADE:--Vide Duties; Lumber.

QUEBEC BRITISH AND CANADIAN SCHOOL:--Petition of President and others, for aid, (33) 264, (47) 338. Petition of Jeffery Hale, and others, for an Act of Incorporation, (201) 1129-1130, (210) 1177.

-----Bill to incorporate said School, presented and read, (246) 1408. Read second time; Committed; Considered; To be engrossed, (286) 1661. Passed, (288) 1668. By the Council, (300) 1783.

QUEBEC CHARITABLE ASSOCIATION:--Petition of Roman Catholic Ladies, for aid, (4) 27, (12) 66.

QUEBEC CHARLES STREET INFANT SCHOOL:--Petition of Mrs. Percy Primrose, and others, for aid, (4) 26, (12) 65.

QUEBEC CITY:--Petition of Joseph Laurin, and others, for Inhabitants of St. John's and St. Roch's suburbs, to be represented in City Council, (51) 363, (60) 412. Petition printed, (62) 415. Referred, (81) 487. Infra. Petition of Pierre Doucet against amending Act of Incorporation, (125) 710, (132) 737. Referred, (133) 739. Infra.

-----Petition of Edward Glackmeyer ((or Glackemeyer)), acting Mayor, and Corporation, for amendments to Ordinance Incorporating said City, (51) 363, (61) 413. Petition printed, (61) 413. Referred, (62) 416. Petition of Joseph Laurin, and others, also referred, (81) 487. Also Petition of Pierre Doucet, (133) 739. Also Petition of John P. Anderson, and others, (138) 776. Bill reported and read, (316) 1862. Read second time; Committed; Considered, (412) 2472. Reported, (419) 2494. Passed, (429-430) 2532. By the Council amended, (436) 2556. Amendment agreed to, (437) 2559. Royal Assent, (440) 2569. (8 Vic., cap. 60.)

-----Vide also Jesuits' Estates.

QUEBEC CUSTOM HOUSE:--Petition of Henry LeMesurier, and others, to convert

Custom House in Quebec, into a Marine Hospital, (137) 770-771, (167) 903. Petition of J. Birch, and others, against (224) 1270, (234) 1324.

QUEBEC DEBATING SOCIETY:--Petition of the Members of, for aid, (145) 804, (169) 949. Notice of Motion for Referral, 1079. Motion, 1199-1203. Withdrawn Motion, 1203.

QUEBEC DISTRICT MUNICIPAL COUNCIL:--Vide Turgeon, Charles.

QUEBEC EDUCATION SOCIETY:--Petition of Corporation thereof, for aid, (22) 218, (34) 266.

QUEBEC FEMALE ORPHAN ASYLUM:--Petition of Miss Mountain, and others, for aid, (23) 219, (34) 268.

QUEBEC FIREWOOD SOCIETY:--Petition of Society, for aid, (52) 364, (61) 413. Referred, (62) 415. Bill reported and read, (82) 490. Referred, (83) 490. Reported, (167) 904-905. Bill withdrawn, (233) 1300.  
-----Bill to incorporate Quebec Charitable Firewood Society, presented and read, (245) 1408. Read second time, (255) 1489-1490. To be engrossed, (255) 1490. Passed, (256) 1496. By the Council, (289) 1671. Royal Assent, (440) 2570. (8 Vic., cap. 80.)

QUEBEC FORWARDING COMPANY:--Petition of James Dean, and others, for Act of Incorporation, (23) 219, (34) 268. Referred, (57) 388. Bill reported, (83) 490. Referred to Committee on Private Bills, (83) 491. Reported, (314) 1856. Bill withdrawn, (316) 1864.

-----Petition of Montreal Board of Trade against a certain clause in the Bill, (95) 564-565. Debate on erroneous Parliamentary Report in MONTREAL TRANSCRIPT concerning said Petition, 622-624. Petition read, (125) 712. Referred to Committee on Private Bills, (126) 713. Reported, with Evidence, (314) 1856, (314-315) 1857-1858.

-----Bill to incorporate the Quebec Forwarding Company, presented and read, (317) 1864. Vide Questions Negatived, (41.) Second reading, (410) 2463.

QUEBEC HIGH SCHOOL:--Petition of Rev. John Cook, D. D., and others, for aid, (23) 219, (34) 268. Petition of Rev. George Mackie, and others, for Incorporation of said School, (231) 1293, (235) 1326.

-----Bill to incorporate said School, presented and read, (246) 1408. Read second time; Committed; Considered; To be engrossed, (286) 1661. Passed, (288) 1668. By the Council, (297) 1744. Royal Assent, (370) 2205. (8 Vic., cap. 105.)

QUEBEC INFANT SCHOOL:--Petition of Lady Stuart, and others, for aid, (4) 26, (12) 65. Petition of Mrs. Emily Mackie, and others, the same, (23) 219, (34) 268.

QUEBEC LIBRARY ASSOCIATION:--Petition of Hon. William Walker, and others, for Act of Incorporation, (4) 27, (12) 65. Referred, (36) 282. Bill reported; Referred, (83) 491. Reported; Committed, (167) 905. Committal discharged; Bill withdrawn, (188) 1042.

-----Bill to incorporate the Quebec Library Association, presented and read, (188) 1042. Read second time; Committed; Considered; Reported, (205) 1145. Passed, (210) 1176. By the Council, (251) 1442. Royal Assent, (370) 2204. (8 Vic., cap. 98.)

QUEBEC LITERARY AND HISTORICAL SOCIETY:--Petition of George B. Faribault, President, for aid, (52) 364, (61) 413.

QUEBEC MALE ORPHAN ASYLUM:--Petition of Mrs. M. H. Mountain, and others, for aid, (4) 26-27, (12) 65.

QUEBEC MARINE HOSPITAL:--Petition of Mayor, Aldermen and Citizens, for conversion of Marine Hospital into a General Hospital, (231) 1293, (235) 1326.

QUEBEC MEDICAL SCHOOL:--Petition of Joseph Painchaud, and others, for Incorporation of a School for the Study of Medicine in Quebec, (250) 1438, (256) 1497. Referred, (260) 1523-1524. Report, (315) 1859. Infra.

-----Bill to incorporate the Quebec Medical School, presented and read, (315) 1859-1860. Read second time; Committed; Considered, (412) 2470. Reported, (418-419) 2494. Passed, (423) 2509. By the Council amended, (437) 2561. Amendments agreed to, (438) 2562-2563. Royal Assent, (440) 2570. (8 Vic., cap. 80.)

QUEBEC NATIONAL SCHOOL:--Petition of T. Trigge, and others, for aid, (23) 219, (34) 268.

QUEBEC PEDLARS:--Petition of John P. Anderson, and others, for prohibition to Pedlars trading in public places in Quebec, (93) 551, (100) 603. Referred, (138) 776.

-----Bill to prevent Pedlars and other persons selling goods within the limits of Quebec, presented and read, (316) 1862. Read second time; Motion for Committal, (422) 2506. Negatived, on division, (422) 2507.

QUEBEC RIVER POLICE:--Petition of Mayor, Aldermen, and Citizens of Quebec, that the tax raised for a River Police be made permanent, and the same collected and paid by the City Corporation, (372) 2214, (377) 2293.

QUEBEC SCIENTIFIC LITERARY SOCIETY:--Petition of Pierre Joseph Olivier Chauveau, President, for aid, (40) 300, (53) 367.

QUEBEC TRINITY HOUSE:--Vide Trinity Houses.

QUEBEC TURNPIKE ROADS:--Petition of R. G. Belleau, and others, for amendments to Ordinance respecting the said Roads, (22) 217, (34) 265. Of Augustin Dodier, and others, the same, (80) 484, (94) 553. Petition of R. G. Belleau, and others, printed, (168) 908. Petitions referred, (36) 282, (94) 555. Return to Address for Accounts of the Trustees of said Roads, also referred, (218) 1214. Also Petition of William Sheppard, and others, (260) 1524. Report; To be printed; Committed, (378) 2294. Considered, (409) 2460. Resolutions reported and agreed to, (417) 2489-2490. Infra.

-----Bill to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near Quebec, presented and read, (417) 2490. Read second time; Committed; Considered, (419) 2495. Reported; Passed, (430) 2533. By the Council, (437) 2560. Royal Assent, (440) 2570. (8 Vic., cap. 55.)

-----Petition of William Sheppard ((or Shepherd)), and others, for a loan to said Roads, (131) 734, (146) 807. Referred, (260) 1524. Supra.

-----Vide also Addresses, (12.)

QUEEN'S COLLEGE:--Vide Universities.

#### QUESTIONS NEGATIVED:

1. Amendment to Motion, to appoint Standing Committees, on division, (15-16) 114-116.
2. Amendments to Resolution, in Answer to Speech, on division, (20) 159-206, 206, 207, (20-21) 207-208.
3. Addresses to His Excellency on the Post Office and Receiver General's Departments, on division, (29) 238-239.
4. Second reading, District Treasurers Bill, in three months, on division, (39) 292-293.
5. To receive Petition of Louis Flavien Dufresne, on division, (40) 300-301.
6. To amend the JOURNALS on receiving Petition of J. G. Barthe, and others, on division, (44) 328.
7. On adjournment of the House, on division, (50) 348-354, (55) 375, (58) 391-392, (172) 961-962, (308) 1822-1826, (310) 1840, (365) 2177, (371) 2209, (412) 2471-2472.
8. On enlarging the time for taking recognizance on Petition of R. Burritt, and others, &c., on Election of county of Grenville, on division, (59) 396-397.
9. To enlarge time on taking recognizance on Petition of William Buell, on Leeds Election, on division, (60) 408-410.
10. On putting in additional witnesses on Contested Elections, after the interchange has been read by the Clerk, on division, (96) 578-579.
11. On naming a Member for an Election Committee, on the ground of his serving on another Election, on division, (122) 701.
12. On proceeding to business by Committee on a Contested Election, during absence of a Member, on division, (137) 772-773.
13. On Commitment of Huron Tax Bill in three weeks, on division, (147-148) 822-824.



14. On amendment to Motion to refer Bill on Fees for Marriage Licenses, on division, (172) 961-962.
15. Amendments to question on receiving Report of Committee of whole on Sherbrooke Cotton Factory Bill, on division, (181) 1011-1012.
16. To read Bill appointing Reporter in Chancery, the second time in six months, on division, (182) 1014-1015.
17. To refer Petition of John Hammill, township of Brantford, on division, (183) 1020-1023.
18. On concurring in Report of Committee on Petition of W. B. Lindsay, Jr., and others, on division, (187) 1039-1040.
19. On motion for breach of privilege on article in MONTREAL HERALD, of 28 January 1845, on division, (208-209) 1165-1167.
20. On receiving Report of Committee of whole, on Bill relating to limits of Counties and Districts in Upper Canada, on division, (209) 1168.
21. To add clause to Bill respecting Clergy voting at Elections, on division, (225) 1271-1272.
22. To refer the Petition of John Gilchrist, of Peterborough, to Select Committee, on division, (231) 1294-1295.
23. To amend the Court of Assize Bill of Upper Canada on third reading, by striking out "Prince Edward" and "Talbot," in second enacting clause, on division, (234) 1324.
24. On adding Members to Select Committee to which was referred Bill to amend Registry Laws of Upper Canada, on division, (237) 1337-1338.
25. On second reading of Cayuga Glass Factory Bill, now, on division, (240) 1377-1378.
26. On receiving Report of Committee of whole on Bill to Tax Dogs, in Upper Canada, in six months, on division, (240) 1378-1379.
27. On second reading Bill to remove doubts as to voting in Counties upon property in Towns and Cities in Upper Canada, in six months, (241) 1380-1382. On postponing the question for engrossing the Bill, on division, (241) 1382-1383.
28. To postpone Orders of the Day, (246) 1410, (310) 1839-1840, (330) 1957, (359) 2153-2154, (371) 2208-2209, 2209, (388) 2381, (402) 2434, (412) 2471.
29. On second reading Bill to provide for registration of Persons entitled to vote at Elections, in Upper Canada, in six months, on division, (253) 1479-1483. Also on Instruction to be given to the Committee, to whom the Bill was referred, on division, (254) 1484-1485.
30. To introduce a Bill respecting Law of Dower in Upper Canada, on division, (271) 1582-1583.
31. To refer Petition of John Gilchrist, on division, (288) 1669-1670.
32. On House in Committee to consider of Administration of Justice in Queen's Bench for district of Quebec, on division, (294) 1695-1696.
33. On amendment to Resolution for Address of Congratulation to His Excellency, on division, (296) 1717-1732, 1733-1741.
34. Amendments in Committee of the whole concerning Rebellion Losses Claims in Upper Canada, on division, ((299)) 1781-1782.
35. To add Clause B to Upper Canada Registry Bill, on division, (303) 1803.
36. Amendments to Resolution on Committee of whole to provide payment of claims from late Rebellion in Upper Canada, on division, (309) 1828-1836.

37. To receive Report of Committee of whole on Bill respecting Winter Roads, in six months, on division, (310) 1839. To refer the Bill to a Select Committee, on division, (312) 1848. Third reading, in six months, on division, (312) 1848-1849. To recommit the Bill, on division, (312) 1849-1850. To refer the Bill to a Committee with an Instruction, on division, (312) 1850. To recommit the Bill, on division, (312-313) 1850-1851.
38. To refer the Petition of John Whitlaw, and William Tennant, on division, (313) 1853.
39. Amendments to Resolution of Committee of whole on Customs Duties, on division, (321-322) 1915-1919.
40. To recommit the Bill for recovery of Small Debts in Upper Canada, in order to add a clause thereto, on division, (325-326) 1933-1934. To amend the first amendment, on division, (326) 1934-1935.
41. Second reading of Quebec Forwarding Company Bill, now, on division, (327) 1940-1941.
42. Amendments to Order for second reading of Harris' Divorce Bill, on division, (329) 1955-1957.
43. Amendment to Bill respecting British Plantation Vessels, on division, (340) 2005.
44. To refer Petition of William Peacock to a Select Committee, on division, (342) 2018.
45. To receive Report of Committee of whole on building school houses in Upper Canada, in six months, on division, (352) 2117-2118.
46. To refer Bill allowing the issue of Testatum Writs, to a Select Committee, on division, (353) 2120.
47. To refer the Petition of Andrew N. Buell to a Select Committee, on division, (354-355) 2137-2139.
48. To read the Bill to qualify Pilots navigating the St. Lawrence, below Quebec, the second time in six months, on division, (359) 2154-2155.
49. To read the Bill on Divorce of Henry William Harris, the third time, in six months, on division, (367) 2194.
50. To read the North American Colonial Association Bill, the third time, in six months, on division, (372) 2214-2215.
51. To add a clause, by way of Ryder, to North American Colonial Association Bill, on division, (373) 2215-2216.
52. To read the Bill erecting the University of Upper Canada, the second time, next Session, on division, (374) 2251-2271.
53. To read the Bill to quiet title to Lands of persons naturalized under 1 Will. IV, cap. 53, of Lower Canada, the second time, in six months, on division, (376) 2287.
54. To instruct Committee on Contingencies, on allowing Officers of the House compensation for removing to Seat of Government, on division, (382) 2307.
55. To read the Bill to quiet titles to lands in Lower Canada, the third time, in six months, on division, (383) 2315-2316.
56. To refer Petition of John Stayner, and others, on subject of Sir Isaac Brock's Monument, on division, (384) 2319.

57. Amendments to Supply Bill, on division, (399) 2418-2419, 2419-2420, 2420-2421, (399-400) 2422-2426, (400) 2427-2428.
58. To refer Petition of Edmund H. Parsons, and others, for reporting proceedings of the Legislative Assembly, on division, (403) 2440.
59. For Address to His Excellency, to appoint a Commission to inquire into complaints against the Board of Works, on division, (407-408) 2452-2456.
60. For second reading Bill to amend the Ordinances relating to Incorporation of city of Montreal, now, on division, (409) 2460-2461.
61. For second reading Bill to amend Act incorporating town of Kingston, in six months, on division, (411) 2467-2468.
62. To consider amendments made by the Council to Bill relating to Winter Roads in Lower Canada, on division, (413) 2477-2478.
63. For Address to His Excellency for Returns of Public Accounts; Tariffs; Products, &c., on division, (414-416) 2481-2487.
64. Amendments on third reading of Bill to amend Act incorporating town of Kingston, on division, (419-420) 2499-2500.
65. Amendment to Address to His Excellency on appropriation of Members' Sessional Allowance, on division, (420) 2501-2502.
66. To commit Bill to prevent Pedlars and other persons to sell their goods within the city of Quebec, on division, (422) 2506-2507.
67. For second reading of Bill to provide for erection of school houses in Upper Canada, now, on division, (423) 2510-2511.
68. To strike out the fifth clause of Quebec Incorporation Amendment Bill, on division, (429) 2532.
69. Amendment to Supply Bill, on division, (432) 2540.

QUESTIONS, PREVIOUS:--Moved, (98) 596, (209) 1166-1167.

R

RAILROADS:--Petitions for the Incorporation of a Company to construct a Railroad, from the Province Line to Montreal: Of Hon. Baron Grant de Longueuil, and others, (39) 299, (52) 365. Of Hollis Smith, and others, (40) 300, (53) 366. Of Municipal Council, district of Sherbrooke, (40) 300, (53) 366. Referred, (54) 371, (56-57) 388. Report, (196) 1102-1103. *Infra*.

-----Petition of city of Toronto and Lake Huron Railroad Company, for amendments in the Act of Incorporation, (39) 299, (52) 365. Referred, (54) 370. Report, (278-279) 1622-1625. *Infra*.

-----Petition of Capt. Alonzo Wood, and others, for a Railroad (from the Eastern Townships) to Montreal, (39) 299, (52) 364.

-----Petitions of J. K. Gooding, and T. B. Woodcliff, for a Railroad between Goderich and Hamilton, (317) 1898, (328) 1946. Of Municipal Council, district of Huron, the same, (372) 2214, (378) 2294.

-----Petition of James W. Ritchie, and others, that the Charter of the Great Western Railroad be revived and amended, (372) 2213, (375) 2277-

2278. Referred, (375) 2278. Bill reported and read, (384) 2320. Reported, (409) 2461-2462. Passed, (418) 2493. By the Council, (432) 2542. Royal Assent, (440) 2568. (8 Vic., cap. 86.)

-----Question concerning Government's intention to aid Montreal-Province Line Railroad; Answer, 972.

-----Question concerning Government's intention to construct Boston-Quebec Railroad; Answer, 1125.

-----Bill to incorporate a Company to construct a Railroad from the River St. Lawrence, near Montreal, to the Province Line, in the township of Stanstead, presented and read, (196) 1105. Second reading; Referred to Committee on Private Bills, (279) 1630. Reported, (314) 1856. Committed, (316) 1863. Considered, (340) 2005-2008. Reported, (344) 2024. Passed, (345) 2033. By the Council amended, (355) 2140. Amendments considered and agreed to, (361) 2166-2167. Royal Assent, (370) 2206. (8 Vic., cap. 25.)

-----Petition of Montreal Board of Trade in favour of the above Bill, (243) 1393, (252) 1474. To be printed, (253) 1475.

-----Bill to amend the Act incorporating city of Toronto and Lake Huron Railroad Company, presented and read, (293) 1691. Read second time; Committed, (330) 1957. Considered, (330) 1957-1958. Reported, (330) 1958. Passed, (331) 1963. By the Council amended, (361) 2166. Amendments considered, (368) 2197-2198. Agreed to, (368) 2198. Royal Assent, (441) 2571. (8 Vic., cap. 83.)

-----Statement of affairs of Champlain and St. Lawrence Railroad, laid before the House, (9) 50, (233) 1323.

REA, ALEXANDER:--Petition of, for redress of grievance, (201) 1129, (210) 1177.

REAL ESTATE:--Bill to afford relief to Sellers of Real Estate in certain cases in Canada West, presented and read, (55) 377. Read second time; Referred, (96) 586.

-----Bill to oblige Corporations and others, holding Real Estate to make Annual Statements of the property so holden, presented and read, (227) 1279. Order for second reading, (227) 1279. Motion for second reading, 1708-1712. Withdrawn Motion; Withdrawn Bill, 1712.

REBELLION:--Vide Addresses, (2.); Militia; Rebellion Losses.

REBELLION LOSSES:--Notice of Motion for information concerning Government's intention to introduce a measure for the relief of sufferers in Lower Canada in the Rebellion of 1837, 43.

-----Question concerning Lower Canada Rebellion losses indemnity; Answer, 317.

-----Motion refer a petition from LaColle praying for compensation, 972-977. Withdrawn Motion, 977.

-----Vide also Claims For Losses During Late Rebellion.



RECEIVER GENERAL'S DEPARTMENT:--Vide Addresses, (16, 43.); Questions Negatived, (3.)

RECOGNIZANCES:--Vide Elections, Controverted; Speaker.  
-----Cancelled, (131) 731.

RECORDERS' COURT:--Vide Toronto City.

REGIOPOLIS COLLEGE:--Vide Colleges.

REGISTRARS:--Select Committee to enquire if the Registrars of the city of Quebec and Montreal have furnished the security required by law, &c., (306) 1812.

REGISTRATION:--Petition of Rev. Antoine Gosselin, and others, that a separate Registry Office be established for the Island of Orleans, (4) 26, (10) 61. Referred, (48) 340. Report, (315) 1858-1859. Report committed; Considered, (338) 1995. Adopted, (343) 2022-2023. Infra. Petition of Municipal Council, district of Simcoe, for removal of Registry Office to town of Barrie, (9) 50, (14) 111. Referred, (15) 113. Another Petition of the same, (341) 2015, (351) 2114. Petition of Canada Baptist Union, for Registration of Births and Deaths in this Province, (14) 110, (23) 221. Petition of William Ritchie, for aid to make an Index to the Registry Books of county of Sherbrooke, (22) 218, (34) 267. Petition of Rev. Joseph Duquet, and others, for removal of Registry Office of county of Sherbrooke, (32) 263, (46) 334-335. Petition of Rev. Urbain Orfroy, and others, for removal of Registry Office of county of Bellechasse, (39) 299, (52) 364. Petition of P. E. Mignault, and others, for removal of Registry Office, county of Yamaska, (56) 387, (81) 486. Petition of Rev. F. X. Delâge, and others, for removal of Registry Office, county of L'Islet, (166) 901, (176) 985. Petition of E. Larue, and others, for removal of Registry Office, county of Lotbinière, (234) 1323, (243) 1401. Petition of Daniel Byrne, and others, to annex St. Sylvester to Megantic, for Registration, (255) 1496, (264) 1556. Referred, (265) 1558-1561.

-----Notice of Question concerning intention of Government to amend present Registry Law, 56. Question; Answer, 242.

-----Bill to facilitate the Registration of Titles to Real Property in Lower Canada. Notice of Motion, 23. Bill presented and read, (10) 51-53. Read second time, (201) 1123. Referred, (201) 1123-1124. Addition to Committee, (218) 1213. Registration Ordinance Bill of Lower Canada, also referred, (358) 2149. Latter Bill reported; Committed, (384) 2320.

-----Bill to amend the Registry Laws of Upper Canada. Notice of Motion, 379. Bill presented and read, (92) 544. Motion for second reading, (139) 777. Read second time; Committed, (192) 1077. Considered, (237) 1333-1337. Further consideration discharged; Bill referred, (237) 1337-1338. Vide Questions Negatived, (24.) Reported; Committed, (257)

1500. Considered, (287) 1662. Reported, (294) 1696-1697. Third reading, (303) 1802. Clause added, (303) 1802-1803. Vide Questions Negatived, (35.) Passed, (303) 1803.

-----Bill to attach Parish of St. Sylvester to county of Dorchester, for the purpose of Registration, presented and read, (134) 743. Read second time, (192) 1076-1077. Committed; Considered, (192) 1077. Again considered, (206) 1151-1152. Reported, (208) 1165. Passed, (210) 1176. By the Council amended, (303) 1804. Amendments considered and agreed to, (307) 1820-1821. Royal Assent, (370) 2205. (8 Vic., cap. 21.)

-----Bill to amend Act and Ordinance, relative to the Registration of Titles to and Incumbrances upon Real Property in Lower Canada, presented and read, (290) 1673. Referred, (358) 2149. Supra. Reported; Committed, (384) 2320. Considered, (410) 2462. Reported, (417) 2490-2491. Passed, (422) 2508. By the Council amended, (438) 2561. Amendments agreed to, (438) 2563. Royal Assent, (439) 2567. (8 Vic., cap. 27.)

-----Bill to make valid the Registration of Title Deeds and other documents in the county of Hastings, presented and read; Order for second reading, (318) 1900. Read second time; Committed; Considered, (422) 2507. No Report.

-----Bill to detach the Island of Orleans from the county of Montmorenci, for Registration of Titles, and to establish a Registry Office in said Island, presented and read, (343) 2023. Read second time; Committed, (357) 2146. Considered, (357) 2146-2147. Reported, (365) 2177-2178. Passed, (366) 2192. By the Council, (376) 2281. Royal Assent, (440) 2569. (8 Vic., cap. 28.)

-----Registrar's Report of Bonds and Securities, laid before the House, (32) 261.

-----Vide also Elections; Registrars.

RELATIONS AND FRIENDS:--Vide Administration Of Justice.

RELIGIOUS LADIES:--Vide Les Soeurs De La Congrégation Notre Dame De Montréal.

RELIGIOUS SOCIETIES:--Notice of Motion for Committee of inquiry into method of introduction of offensive words into amendments of Bill of last Session, 23. JOURNALS on the amendments to Religious Societies' Bill of last Session, read, (8) 38-39. Committee appointed, (8-9) 39-40. Subject referred, (9) 40. Report, (36-38) 282-286. Committed, (38) 286. Considered; Resolution reported and agreed to, (51) 356. JOURNALS of last Session read; Certain words expunged; Proceedings Communicated to Council, (63) 418.

-----Bill to extend provision of Act of Upper Canada, for relief of Religious Societies, presented and read, (178) 989-990. Read second time; Committed, (206) 1154. Considered, (224) 1263-1264. Reported, (224) 1264. Passed, (225) 1272. By the Council amended, (256) 1498. Amendments considered, (261) 1528. Agreed to, (287) 1663-1664. Royal Assent, (370) 2204. (8 Vic., cap. 15.)

-----Petition of Rev. W. Taylor, and others, against the Bill, (216) 1208, (225) 1273.

-----Vide also Evangelical Association; Unitarians.

REPORTER IN CHANCERY:--Vide Court Of Chancery.

REPORTERS:--Petition of Edmund H. Parsons, and others, for remuneration as Reporters of Proceedings of Legislative Assembly, during the present Session, (386) 2359, (403) 2440. To refer the Petition, negatived, on division, (403) 2440.

-----Vide also Parliamentary Reporting.

RETURN OF CONVICTS:--House resolves to go into Committee to consider of expediency of addressing His Excellency, to recommend that means be provided for the return of Convicts from the Penal Colonies, (91) 542. Considered, (91) 542-543. Resolution reported and agreed to, (91-92) 543-544. Vide Addresses, (50.)

RETURNING OFFICERS:--Vide Addresses, (35.)

RETURNS OF PUBLIC ACCOUNTS:--Vide Revenue And Expenditure.

REVENUE AND EXPENDITURE:--Vide Addresses, (40, 104, 111.); Debentures.

-----Accounts and Statements of Consolidated Revenue Fund of Canada, for 1843, laid before the House, (50) 348.

-----Statement of the Revenue and Expenditure of the Province, for the year 1844, laid before the House, (297) 1745.

-----Statement of probable Revenue and Expenditure, for 1845, together with Estimate for Service of same year, sent down by Message, (365) 2176.

-----Supplementary Estimate sent down, (429) 2529-2530.

-----Matters referred: Consolidated Revenue Fund, for 1843, (57) 390.

Public Accounts transmitted in 1841, 1842, and 1843, with an Instruction, (134) 741-742. Addition to Committee, (190) 1056, (352) 2116. Bill on manner of laying the Public Accounts before the Legislature, (192) 1076. Revenue and Expenditure for 1844, (305) 1809-1810. Committee to report from time to time, (305) 1810. FIRST REPORT, (328) 1946. To be printed, (328) 1946-1947. Committed; Considered, (385) 2322-2323. Concurred in, (387) 2361. SECOND REPORT, (328) 1947. THIRD REPORT; To be printed, (368) 2197. Referred to Supply, (435) 2550. Reported, (436) 2557.

-----Bill to prescribe the manner of laying the Public Accounts before the Legislature annually, presented and read, (96) 585. Read second time; Referred, (192) 1076. Supra. Reported, (328) 1947. Committed, (339) 1997-1998. Considered, (357) 2145-2146, (376) 2281. No Report.

-----Bill to authorize the charge of a certain Sum of Money advanced without authority of Parliament, presented and read, (387) 2361. Second reading; Referred, (387) 2362. Reported, (388) 2384. Passed, (402) 2439. By the Council, (432) 2541. Royal Assent, (442) 2574. (8 Vic., cap. 71.)

-----Bill to authorize certain Sums of Money, for necessary expenses of

Government, for the years 1843 and 1844, not otherwise provided for, presented, read twice, and engrossed, (436) 2557-2558. Passed, (437) 2558. By the Council, (437) 2560. Royal Assent, (441-442) 2574. (8 Vic., cap. 70.)

RICE, ISRAEL:--Petition of, for aid as the only settler in the township of Ham, (31) 255, (42) 307-308.

RIMOUSKI DISTRICT:--Petition of Municipal Council, for aid to construct certain bridges and wharves therein, (10) 60, (18) 154.

RIVER DU CHENE:--Vide Roads And Bridges.

RIVER GATINEAU:--Vide Addresses, (52.)

RIVER JACQUES CARTIER:--Petition of William Bethell, and Thomas Brown, for Commissioners to pay a balance for erecting a bridge over said River, (40) 300, (44) 329, (53) 368. Petition of Edward Hale, and others, for payment of part of the Moneys granted for improvement of the crossing of said River, (295) 1716, (303) 1804.

RIVER RICHELIEU:--Vide Tolls.

RIVER ST. ANNE:--Vide LaFleche, Louis Richard ((Or Richer)), And Louis Guillet.

RIVER ST. CHARLES:--Petition of Mayor and Corporation of Quebec, for authority to build a toll bridge over said River, (9) 51, (15) 112. Petition of J. G. Tourangeau, and others, for a free bridge across the said River, in place of the Dorchester Bridge, (14) 110, (23) 220. Petition of Mayor, Aldermen, and Citizens of Quebec, that the Town Council be substituted in right of Her Majesty's Government to possess said Bridge over said River, (88) 531, (94) 554. Petition of Charles Smith, and Anthony Anderson, against Petition of Quebec Corporation for a toll bridge, (93) 551, (100) 604. Petition of Charles Smith, and Anthony Anderson, in favour of transfer of Bridge to Quebec Corporation, (176) 983, (189) 1052. Petitions referred, (27) 230-231, (36) 282, (56) 388, (101) 608, (138) 776. Addition to Committee, (128) 721. Report, (355) 2142. Printed; Committed, (356) 2142.

-----Question concerning Dorchester Bridge; Answer, 2552.

-----Vide also Addresses, (71.)

RIVER ST. LAWRENCE:--Vide Commerce; Navigation; St. Lawrence Canal.

RIVER TRENT NAVIGATION:--Vide Addresses, (29.)

ROADS AND BRIDGES:--Notice of Question of Government concerning improvement of road from Lake Ontario to Lake Huron, 44.



- Notice of Question of the Government concerning their intention to complete road between Cedars Plank Road and the Island of Montreal, 56.
- Notice of Question of the Government concerning their intention to plank road from London to Amherstburgh, 358. Question; Answer, 2130.
- Question concerning Government's intention to plank road from Chatham to London; Answer, 546.
- Petitions respecting the contracting, completing, or repairing of Roads and Bridges: Of M. F. Valois, and others, for turnpike road from Lachine to St. Ann, (4) 26, (10) 60. Referred, (61) 414. The following also referred to same Committee: Petition of Rev. Antoine Duransaux, and others; of Hon. Gabriel Roy, and others; of Hyacinthe Brunet, and others, (61) 414. Of John Glen, and others, (81) 487. Of Rev. P. M. Mignault, and others, (94) 555. Entries of JOURNALS of 13 September 1841, on Petition of Jacob Glen, René Boileau, and others, of Chambly, (83) 493. Petition of Benjamin Brewster, and others, (101) 607. Petition of J. A. Mathison, and others, (133) 739. Of Donald M'Intosh, and others; of Hon. R. U. Harwood, and others, (211) 1178. Of W. H. Waters, and others, (217) 1210. Members added to Committee, (128) 722, (279) 1627. The Committee to report from time to time, (297) 1745. FIRST REPORT, (325) 1931. Committed, (325) 1932. Committal discharged, and Report referred with an Instruction, (423) 2511. SECOND REPORT; Committed, (342) 2019. Considered, (424) 2512-2513. Resolutions reported and agreed to, (431) 2536. Vide Montreal Turnpike Roads. THIRD REPORT; Committed, (381) 2304. Considered; Resolutions reported and agreed to, (410) 2463. Vide Montreal Turnpike Roads.
- Petition of Rev. Antoine Duransaux, and others, macadamized road from Montreal to Lachine, (4) 26, (10) 60. Referred, (61) 414. Supra. Of Hon. Gabriel Roy, and others, to place a road in Parish of St. Laurent under Trustees, (4) 26, (10) 60. Referred, (61) 414. Supra. Of Municipal Council, district of Johnstown, road from Brockville to St. Francis, (4) 26, (12) 65. Of H. W. Blanchard, and others, the same, (14) 110, (23) 221. Of Wellington Landon, and others, the same, (14) 110, (23) 221. Of Municipal Council, Midland District, that the Kingston and Napanee Road be placed under the Board of Works, (4) 27, (12) 65. Of Rev. P. Huot, and others, to macadamize or plank two roads in Parish of St. Foye, (4) 27, (12) 66. Of Rev. C. J. Primeaux, and others, for amendment to Road Laws of Lower Canada, (17) 152, (24) 223. Referred, (138) 775. Of Alfred Wilson, and others, for improvements on Penetanguishene Road, (22) 217, (33) 264. Of Henry Carter, and others, aid for road to village of Granby, (22) 217, (33) 264-265. Of Hyacinthe Brunet, and others, (22) 217, (34) 265. Referred, (61) 414. Supra. Of John Phelan, and others, aid for a bridge over the North River, (22) 217, (34) 266. Of Rev. Louis Proulx ((or Proul)) (of Lotbinière), and others, aid for bridges in county of Lotbinière, (22) 218, (34) 266. Of J. B. Duberger, and others, aid for roads in county of Saguenay, (22) 218, (34) 266. Of Municipal Council, district of Victoria, aid for bridges, (22) 218, (34) 267. Of John Glen, and others, for amendments to Ordinance, 4 Vic., cap. 16, and authority to borrow

£5,000, (30) 254, (40) 302. Referred, (81) 487. Supra. Of Charles Richardson, and others, to be incorporated as "Niagara Ten Mile Creek Plank Road Company," (30) 254, (41) 304. Referred, (48) 343. Report, (195) 1101-1102. Vide Niagara Plank Road. Of E. S. Clarke, and others, to open a new road through townships of Barnston and Barford; of Augustus Abbott, and others, for aid to certain road through eastern townships to Montreal; of Solomon Steele, and others, for aid to rebuild a certain bridge in township of Stanstead, (32) 262, (46) 334. Of James Blackburn, and others, for Plank Road in township of Hull, (33) 263, (46) 335. Of Hon. J. R. Rolland, and others, to continue Plank Road from Chambly to Granby, (33) 263, (46) 336. Of J. Filteau, and others, aid for bridge over River du Chêne; of A. Wells, and others, aid for road from Memphremagog to Mount Johnson, (33) 264, (47) 338. Of Marcus Child, and others, for aid to certain roads in county of Stanstead, (32) 262, (48) 340. Of James W. Brown, and others, for amendments to Kingston and Napanee Macadamized Road Act, (44) 328, (53) 367. Referred, (62) 415. Report; Committed, (82) 489. Considered, (136) 747. Reported, (136) 747-748. Vide Macadamized Roads. Of Zozime Maçon, and others, for Turnpike Road from St. Eustache to Montreal, (44) 328-329, (53) 368. Referred, (101) 607-608. Vide Winter Roads. Of Henry Lawrence, and others, aid for road through Brompton and Ely, (51) 363, (60) 412. Of D. L. Marquis, M. D., and others, aid for road in township of Ixworth, (51) 363, (61) 412. Of Samuel Young, and others, aid for road in Williamsburg and Winchester, (52) 364, (61) 413. Of District Council (Missisquoi), aid for a plank road, (60) 411, (88) 531. Of District Council (Bathurst), aid for road from Rideau Canal to Ottawa River, (80) 484, (94) 553. Of Rev. P. M. Mignault, and others, aid for road in county of Chambly; of Stevens Baker, and others, for planking a road from St. Johns to Stanstead; of Charles DeWitt, (of St. Joachim de Chateauguay), and others, for aid to re-construct a bridge over River Chateauguay, (88) 531, (94) 554. Of George J. Grange, and William Clarke, aid for road from Dundas to Lake Ontario; of Hon. James Crooks, and others, the same, (93) 549, (99) 601. Of Municipal Council, Western District, for aid to bridge over the Thames, (93) 550, (100) 603. Of Richard Brown (of Haldimand), and others, for planking a road in county of Haldimand, (93) 551, (100) 603. Referred, (126) 713. Report, (170) 950. Of Benjamin Pomroy, and others, aid for road through Barford Woods; of Charles Whitcher, and others, aid for road in county of Sherbrooke, (93) 551, (100) 603. Of R. W. Branan, and others, aid for road near Delaware, (95) 565, (125) 712. Referred, (183) 1023. Of Rev. Charles E. Bélanger (of Stanfold), and others, aid for road in township of Bradford; of Rev. C. L. Gagnon, and others, aid for road in Drummond; of Charles Rose, and others, aid for road from Montreal to Quebec; of S. M. Taylor, and others, for bridge over the River St. Francis; of James W. Ritchie, and others, for road from town of Simcoe, (99) 600, (132) 736. Of Capt. J. Morin, and others, aid for road, county of Bellechasse; of T. G. Launière ((or Lannière)), and others, the same, (125) 710, (132) 737. Of J. A. Mathison, and others, for macadamizing road from

Vaudreuil to Lachine Turnpike, (125) 710, (132) 737. Referred, (133) 739. Supra. Of William Duckett, and others, for verbalizing road from River Delisle to Province Line, (125) 710, (132) 737. Referred, (133) 739. Of James Nutbrown, and others, for aid to open a road in county of Leeds, (125) 710, (132) 737. Of Rev. Charles E. Bélanger (of Somerset), and others, for road in Inverness, (125) 710, (132) 737. Of Rev. Louis Proulx (of Dorchester), and others, aid for bridge over River Etchemin, (131) 733, (146) 805. Of Donald M'Intosh, and others, for continuation of the Plank Road at the Cedars, (131) 733, (146) 806. Referred, (211) 1178. Supra. Of John Williamson, and others, for aid to macadamize road from Queenston to London, (131) 734, (146) 806. Of John ((or George)) Brown, and others, for constructing of plank road from Bronte to Owen Sound; of E. L'Espérance, and others, against Petition of Trustees of Montreal and Chambly Road; of Joseph R. Thompson, and others, for a road in township of Reach, (137) 770, (166) 902. Of Charles Palmer, and others, for a road in district of Nicolet, (137) 770, (167) 903. Of Edward ((or Edwin)) Pridham, and others, for bridges over the River Ottawa, (166) 902, (177) 985. Referred, (183) 1023. Printed, (186) 1032. Of Samuel Clark, and others, for a road from Kingston to River Ottawa; of Joseph ((or John)) Somerville, and others, for a road from Godmanchester to Montreal, (169) 948, (177) 985. Of Simeon Flint, and others, for roads in Shipton and other places; of L. J. M'Nair, and others, to improve Côte de Jacques Cartier; of M. W. ((or W. M.)) Copp, and others, for road from Stanstead to Montreal, (169) 948, (177) 986. Of James Breakenridge, for macadamized road from Quebec to Lake Huron, (169) 948, (177) 986. Of S. Crane, and others, for plank road from Prescott to Bytown, (176) 983, (189) 1052. Referred, (207) 1162. Of W. W. Hatelie, and others, for bridge over the River Thames; of Jacob Smith, and others, for road from Kingston to the Ottawa River, (176) 983, (189) 1052. Of George Wright, and others, for planking Hurontario Street from Port Credit to Lake Huron, (176) 983, (189) 1052. Referred, (190) 1055. Petition of James Paterson, and others, also referred, (342) 2018. Report, (437) 2558-2559. Of Hon. R. U. Harwood, and others, for road from Vaudreuil to Montreal, (182) 1019, (194) 1098. Referred, (211) 1178. Supra. Of Thomas A. Corbett, and others; of Thomas W. Robinson, and others, (183) 1019, (194) 1099. Of George Jones, and others, for road from Kingston to the Ottawa, (183) 1020, (194) 1099. Of Daniel M'Leod, and others, for completion of road from Hamilton to Toronto, (188) 1049, (195) 1100. Of L. Blais, and others, for road between parish of Saint Thomas and River St. John, (193) 1096, (202) 1131. Of C. L. Bellows, and others, improvement of Mail Route between Castleford and Westmeath, (193) 1096, (202) 1131-1132. Of Thomas Heyes ((or Hayes)), and others, for main road leading to town of Barrie, (193) 1096, (202) 1132. Of J. B. Lewis, and others, for a plank road from Kingston to Bytown, (193) 1096, (202) 1132. Referred, (207-208) 1162. Of Jonathan Adamson, and others, for a road in Gore District; of Aaron Slaght, and others, for branch road from Townsend to Port Dover Plank Road, (201) 1129, (210) 1177. Of W. H. Waters,

and others, for completion of road between the Cascades and Montreal, (207) 1162, (217) 1209. Referred, (217) 1210. Supra. Of Michael M'Donagh, and others, for road between Lake Simcoe and Lake Ontario, (210) 1175, (221) 1245-1246. Of Joseph Southworth, and others, for road from Dundas to Bytown, (217) 1209, (226) 1274. Of Alexander Ferguson, and others, for road from Talbot River to village of Prince Albert; of Levi Cleveland, and others, for road from Sydenham to Glen Douglas, (224) 1270, (234) 1325. Of James Ruthven, and others, for bridge across the River Thames, and for road leading to Lake Erie, (231) 1293, (235) 1326. Of Michael Aikman, and others, for aid to road from Hamilton to Grimsby, (238) 1358, (244) 1402. Of William Smith, and others, for planking Hurontario Street, (250) 1438, (256) 1497. Of William Thompson, and others, the same, (251) 1472, (259) 1523. Of Love Newlove, and others, for a bridge at "Governor's Road," (251) 1472, (259) 1523. Of Hon. L. Fiset, and others, for a road from Percé to Bay des Chaleurs, (259) 1522, (264) 1556. Of Henry Gold, and others; of L. Davidson, and others; of Alexander Campbell (of Thorah), and others, aid for road in Home District, (259) 1522, (264) 1557. Of James Coleman, and others, for road in township of Adjala, (273) 1594, (281) 1644. Of Abraham Charest, and others, for aid for bridge over the Rivière à Delisle, (276) 1616, (288) 1669. Of John Dolson, and others, for completion of Tecumseth Road; of Municipal Council (Victoria), for road from Madoc to Madawaska River, (292) 1687, (298) 1762. Of Rev. David Dunkerly, and others, for completion of road between Montreal and Craig's Road, (292) 1688, (298) 1763. Of Charles A. Low, and others, for completion of Post Road from Cornwall to L'Orignal, (298) 1761, (307) 1818. Of E. M'Naughton, and others, for turnpike road from St. Anne to Montreal, (303) 1802, (313) 1852. Of James L. Chrysler ((or Chrysler)), and others, for a macadamized or plank road between Bytown and the head of the St. Lawrence Canal; of John Montgomery, and others, for road in township of Roxborough; of Adam Johnston, and others, for a macadamized or plank road from Cornwall to Roxborough, (311) 1845, (323) 1926. Of Benjamin Therien, and others, for completion of road from Stanfold to Yamaska, (311) 1846, (323) 1927. Of Kenneth Cameron, and others, for Survey of road between Windsor Bay and Gloucester Bay; of George M'Manus, and others, aid for road from Simcoe to Toronto, (327) 1945, (341) 2017. Of James Sanson, and others, aid for road from Windsor Bay to Lake Simcoe, (330) 1961, (341) 2017. Of James Paterson, and others, for plank road from Port Credit to Lake Huron, (330) 1961, (342) 2017. Referred, (342) 2018. Supra. Of John M'Phee, and others; of William Morrin ((or Morin)), and others, (330) 1961, (342) 2017. Of John M'Call ((or M'Fall)), and others, for a macadamized road from L'Abord à Plouffe to St. Eustache, (330) 1961, (342) 2017-2018. Of G. H. Grierson, and others, for bridge over River Otonabee, (341) 2014, (350) 2113. Of Murdoch M'Donnell ((or M'Donell)), and others, for road from Kingston to the Ottawa, (350) 2112, (360) 2164. Of James Johnson, and others, that the whole amount granted for road from Bradford to Barrie, be expended thereon, (372) 2213, (377) 2292.



Of Thomas L. Crooke, and others, aid for a road from London to Errol; of Robert Layfield, and others, aid to complete Gosford Road, (383) 2315, (386) 2359. Of Archibald M'Donell, and others, for road from Bytown to St. Lawrence, (386) 2359, (403) 2440.

-----Vide also Addresses, (12, 19, 33, 38, 39, 58.); Grand River Bridges; Highways And Bridges; Lafleche, Louis Richard ((Or Richer)), And Louis Guillet; Macadamized Roads; Montreal Turnpike Roads; Niagara Plank Roads; Port Hope And Rice Lake Plank Road; Quebec Turnpike Roads; Railroads; Rimouski District; River St. Charles; Rouge Hill And Bridge; St. Anne's Bridge; Tolls; Wolff, Alexander Joseph.

ROMAN CATHOLIC BISHOPS OF TORONTO AND KINGSTON:--Petition of Right Revs. Michael Power, and Patrick Phelan, that the said Bishops may hold Real Estate for religious purposes, (40) 300, (52) 365-366. Referred, (94) 554-555. Report, (195) 1101. Infra.

-----Bill to Incorporate the Roman Catholic Bishops of Toronto and Kingston, presented and read, (197) 1106. Read second time; Committed, (222) 1254. Considered, (242) 1385, (285-286) 1658. Reported; Passed, (288) 1668. By the Council amended, (328) 1947. Amendments considered, (351-352) 2115-2116. Agreed to, (352) 2116. Royal Assent, (440) 2568. (8 Vic., cap. 82.)

ROUGE HILL AND BRIDGE:--Notice of Question concerning improvement of road and construction of a bridge, 379. Question; Answer, 1265.

-----Vide also Addresses, (38.)

ROY, MRS. JENNET:--Petition of, for remuneration for her late husband's services, (176) 983, (189) 1052. Referred, (317) 1899. Report, (384) 2319-2320. Committed; Considered, (404) 2444-2445. Resolution reported and agreed to, (416) 2487-2488. Vide Addresses, (113.)

ROYAL INSTITUTION:--Petition of Hon. Vallière ((or Vallières)) de St. Réal, for repeal of Act establishing said Institution, (60) 411, (88) 531-532. Petition of Board of Royal Institution, for amendment of Act 41, Geo., cap. 17, respecting certain property belonging to McGill College, (224) 1270, (234) 1325. Petitions referred, (89) 534, (250) 1439. Petitions of Rev. John Butler, and others; and of Rev. Richard Lonsdell, and others, also referred, (226) 1275, (252) 1474. Addition to Committee, (306) 1810. Report, (360) 2165.

-----Vide also Addresses, (118.); Universities.

RYERSON, REV. EGERTON:--Question concerning his Salary and position; Answer, 359.

-----Vide also Addresses, (36.)

RYLAND, G. H.:--Petition of, for relief in consequence of engagement not performed by the Government, (366) 2192, (375) 2277. To be printed, (375) 2278. Referred, (384) 2317-2319.

S

SAGUENAY COUNTY:--Vide Elections, Writs Issued During The Session.

ST. ANNE'S BRIDGE:--Petition of Gaspard Dauth, for arrears due for construction, (52) 364, (61) 413.

ST. ANTOINE DE LONGUEUIL:--Petition of Rev. Louis M. Brassard, for Act of Incorporation to certain ladies, for an institution to educate young females in said parish, (39) 299, (52) 365. Referred, (56) 388. Report, (128) 719. Vide La Communauté Des Soeurs Noms De Jésus Et Marie.

ST. CATHARINES:--Petition of H. Mittleberger, and others, for Incorporation of the town of St. Catharines, (176) 983, (189) 1052. Referred, (313) 1854. Bill reported and read, (315) 1860. Read second time; Committed; Considered, (423) 2510. Reported; Passed, (431) 2535-2536. By the Council, (437) 2561. Royal Assent, (439) 2566. (8 Vic., cap. 63.)

ST. CHARLES RIVER:--Vide River St. Charles.

ST. EUSTACHE:--Vide Addresses, (45.); Claims For Losses During Late Rebellion.

ST. HYACINTHE COUNTY:--Vide Colleges; Elections, Controverted, St. Hyacinthe County; Hospitals.

ST. LAWRENCE CANAL:--Petitions for payments of Contracts, Work and Damages: Of John Reid, and Robert Sheppard ((or Shepherd)), as Contractors, (22) 219, (34) 267. Of Robert and Peter M'Kay, as Contractors, (234) 1323, (244) 1402. Of Archibald Mason, for Work, (243) 1392, (252) 1473. Of Caleb Truax, and Andrew Key, for Work, (243) 1393, (252) 1473-1474. Of Thomas Scott, for Damages and Work, (292) 1687, (298) 1763. Of John Tait, for Work, (298) 1761, (307) 1818. Of Andrew N. Buell, as Contractor, (345) 2033, (354) 2137. To refer the last Petition, negatived, on division, (354-355) 2137-2139. Of Peter Anderton, as Contractor, (188) 1049, (194) 1099.

-----Petitions Referred: Of John Reid, and Robert Sheppard, (61) 414. Of Peter Anderton, (195) 1100-1101. Of Robert and Peter M'Kay, (250) 1439. Of Leonard H. Dunlop; of Archibald Mason; of Caleb Truax, and Andrew Key, (304) 1805. Of John Tait; of Peter Fleming, (313) 1853. Committee to report from time to time, (386) 2360. FIRST REPORT, (403) 2441. SECOND REPORT, (403) 2441-2442.

-----Vide also Addresses, (68.); Claims For Damages By Public Works.

ST. LAWRENCE AND ATLANTIC RAILROAD:--Vide Railroads.

ST. LAWRENCE INLAND MARINE:--Vide Insurance.

ST. MICHEL DE VAUDREUIL:--Vide Education And Schools.

ST. NICHOLAS:--Petition of Rev. Etienne Baillargeon, and others, for separation of parish of St. Nicholas from county of Dorchester, and to be annexed to county of Lotbinière, (234) 1323, (243) 1401.

ST. SYLVESTER:--Vide Registration.

ST. THERESE DE BLAINVILLE:--Vide Colleges.

ST. VINCENT:--Petition of William C. Boyd, and others, for separation of township of St. Vincent, with other townships, into a new district, (242) 1392, (252) 1473. Referred to Committee on Private Bills, (256) 1498. Report, (260-261) 1526.

SALARIES:--Bill to adjust the Civil List. Notice of Motion, 56. Motion for House to go into Committee, on subject of Civil List, with a view to reduce Salaries; Withdrawn Motion, 259.

-----Question regarding abolition of payment by Fees rather than Salaries; Answer, 380.

-----Bill to reduce certain Salaries, not on Civil List, and Fund Fees of Office, presented and read, (96) 579-580. Read second time, (215) 1191-1193. Referred, with an Instruction to expunge the first Clause of the Bill, (215) 1193. Reported; Committed, (226) 1275. Considered, (242) 1385-1386, (286) 1659, (358-359) 2153. No Report.

-----Vide also Addresses, (10.); Attachment Of Salaries; Officers And Clerks Of The House.

SALMON PRESERVATION:--Vide Fish And Fisheries.

SATURDAY SITTINGS:--Vide Legislative Assembly.

SAVINGS BANKS:--Bill to amend the Act, for establishment and encouragement of Savings Banks. Notice of Motion, 561. Bill presented and read, (214) 1189. Read second time; Committed, (241) 1379. Considered; Reported, (241) 1380. Passed, (243) 1394. By the Council, amended, (289) 1671-1672. Amendments committed, (305) 1808. Considered, (308) 1821-1822. Amended, (317) 1898-1899.

SCHOLASTIC INSTITUTIONS:--Vide Addresses, (53.)

SCHRYER, ORANGE:--Petition of, to be indemnified for a certain loss by an outrage in discharge of his duties as Deputy Collector of Customs, (88) 531, (94) 554. Referred, (231) 1294.

SCRIP:--Vide Militia.

SEAMEN:--Vide Mariners.

SEAT OF GOVERNMENT:--Despatch in answer to joint Address of last Session on

establishing the Seat of Government at Montreal, (64-65) 423-424.

-----Petition of James Breakenridge, that Seat of Government be returned to Canada West, (169) 948, (177) 986.

SECRET SOCIETIES:--Question concerning Suppression of Secret Societies; Answer, 44. Notice of Question, 45. Question, 242. Answer, 242-243.

-----Despatch on reserved Bill of last Session, for discouragement of Secret Societies, (66) 427-428.

SEIGNIORIES:--Vide Addresses, (55, 56.); Feudal Tenure.

SERGEANT-AT-ARMS:--Petition of George K. Chisholm, for increase of Salary, (22) 217, (33) 265. Referred to Committee on Contingencies, (56) 387. Report, (257) 1499-1500. Resolution, (295) 1697.

SESSIONAL ALLOWANCE TO MEMBERS:--Motion thereon, ((58)) 393-394. Withdrawn Motion, ((58)) 394.

-----Resolution thereon, (427) 2522-2523.

-----Vide also Members.

SHAW, GEORGE:--Petition of, for power to enable him to claim the land to which his father was entitled, (297) 1761, (307) 1818. Referred, (313-314) 1854. Vide Lands, Public.

SHEFFORD ACADEMY:--Vide Academies.

SHEFFORD MOUNTAIN:--Petition of Joseph Elier, and others, that said Mountain be surveyed, &c., (30) 254, (40) 302.

SHERBROOKE COTTON FACTORY:--Vide Manufactures.

SHERBROOKE COUNTY:--Vide Registration.

SHERBROOKE TOWN:--Bill relating to appointment of Peace Officers and Constables therein, presented and read, (128) 721. Read second time, (187) 1036. Referred, (187) 1036-1037. Reported; Committed, (203) 1133. Considered, (209) 1171-1172. Reported, (209) 1172. Passed, (210) 1175. By the Council, (221) 1247. Royal Assent, (242) 1392. (8 Vic., cap. 18.)

SHERIFFS:--Bill for better regulation of the office of Sheriff in Upper Canada, presented and read, (233) 1299-1300. Read second time, (280) 1631. Referred, with an Instruction, (280) 1631-1632. Addition to Committee, (306) 1810.

-----Vide also District Officers.

SHERRINGTON TOWNSHIP:--Petition of H. Nesbitt, and others, that said Township be separated from parish of St. Edward, (234) 1323, (244) 1402.



SILVERTHORN, AARON, AND JAMES EAKINS:--Petition of, to be reimbursed for building a bridge over the Etobicoke, (220) 1244, (226) 1274.

SIMCOE COUNTY:--Vide Elections, Writs Issued During The Session.

SIMCOE DISTRICT:--Vide Registration.

SIMCOE TOWN:--Vide Clergy Reserves.

SMALL DEBTS:--Vide Administration Of Justice.

SMALL, JAMES EDWARD:--Petition of, that the Electors of Third Riding of county of York, be permitted to petition against the return of George Monro, for said Riding, within fourteen days of next Session, (372) 2214, (377-378) 2293-2294.

-----Vide also Petitions.

SMITH, JOHN:--Petition of, to be sustained in a certain claim for land, (93) 550, (100) 602. Referred, (167) 904. Vide Lands, Public.

SMOLINSKI, JOSEPH:--Petition of, for the use of certain stoves, (99) 600, (132) 736. Referred, (183) 1023.

SMUGGLING:--Petition of Richard Graham, and others, of township of Bertie, for measures against smuggling, (220) 1244, (226) 1274. Referred, (231) 1294.

SNELL, MRS. MARY ANNE:--Petition of, for aid for services of her late husband, as Postmaster at Montreal, (40) 300, (52) 365.

SOLICITOR GENERAL, LOWER CANADA:--Question concerning Government's intention to appoint; Answer, 1591. Another Question, the same; Answer, 2354.

SOLICITOR GENERAL, UPPER CANADA:--Vide Addresses, (105.)

SPARKS, NICHOLAS, AND OTHERS:--Petition of, for relief against the Ordnance Department, (274) 1594, (281) 1644. Referred, (281) 1644-1645. Petition of Edward Mallock, also referred, (298) 1763. Bill to explain Ordnance Act of last Session, also referred, (330) 1958. Reported; To be printed, (384) 2321. Committed, (386-387) 2360-2361. Considered, (387) 2361. Vide Addresses, (93.)

SPAUN, MRS. DOROTHY E.:--Petition of, for payment of a sum due her late husband, as Contractor for Burlington Bay Canal, (224) 1270, (234) 1324.

SPEAKER:--Sir Allan Napier MacNab proposed for Speaker; Hon. Augustin Norbert Morin also proposed, (1) 2-8. Sir Allan Napier MacNab declared Speaker, on division, (1-2) 8-9.

- Presents himself to His Excellency, obtains the usual privileges, and reports the same to the House, (2) 13-14.
- Reports His Excellency's Speech at opening of Session, (2-3) 14-17.
- Lays before the House Report of Librarian; also Statement of St. Lawrence Railroad, (9) 50.
- Answers Question concerning recognizances, ((23)) 219.
- Reports recognizances, (23) 219-220, (30) 253, (32) 261-262, (60) 408, 411, (95) 564.
- To give Notice to parties in cases of Controverted Elections, (31-32) 256-258, (38) 287-288, (48) 341, 343, (74) 460.
- To issue Warrants for new Writs, (48) 340, (87) 529, (99) 599, (185) 1029-1030.
- Lays before the House certain Reports and other Documents, (32) 261, (51) 363, (175) 981-982, (182) 1018, (201) 1129, (207) 1162, (233) 1323, (243) 1393-1394, (281) 1643, (324) 1929-1930, (355) 2140.
- Communicates Letter of G. W. Wicksteed to the Clerk, on Translator's Office, (62) 416.
- Reports His Excellency's Assent to Bills, (87) 529, (242) 1391-1392, (370) 2204-2206, (439-442) 2566-2574.
- Reports His Excellency's Answers to Addresses, (30) 253, (49) 346, (87) 530, (102) 609-610, (211-213) 1181-1186, (220) 1244, (307) 1819, (317) 1898, (428) 2528-2529.
- Appoints, by Order of the House, Commissioners on Contested Elections, (137-138) 773, (139) 778, (193) 1096-1097.
- Reports Certificates of Clerk of the Crown in Chancery, agreeably to Writs, (175) 981, (182) 1018, (263) 1547, (296) 1732, (340) 2014.
- Gives Casting Vote, (220) 1239, (254) 1487, (310) 1840, (371) 2209.
- Communicates Letter from Joseph Legaré, Jr., on the subject of a Portrait of Her Majesty, (243) 1393-1394.
- Refuses to receive a Motion written in the French Language, being contrary to the 41st clause of the Union Act, (265) 1558-1561.
- Reports letter from Private Secretary communicating Prince Albert's thanks for Address of Congratulation on the birth of a Princess, (74) 459-460.
- Reports letter from Private Secretary, communicating Prince Albert's thanks for Address of Congratulation on the birth of Prince Alfred, (299) 1764-1765.
- Lays before the House Return of Officers and Clerks of the House, (324) 1929-1930.
- Reprimands Members, (354) 2135.
- To make certain arrangements for access to Library, &c., (413) 2478.
- His Address to His Excellency, on presentation of Money Bills for the Royal Assent, (441) 2572-2573.

SPEAKERS:--Vide Legislative Assembly; Legislative Council, Speaker Of; Library; Speaker.

SPEECH:--Vide Addresses, (15.); Governor General; Speaker.

SPIRITUOUS LIQUORS:--Vide Duties.

STANDING COMMITTEES:--Vide Committees, Standing.

STANDING ORDERS:--Standing Committee on, appointed, (38) 287.

STANSTEAD SEMINARY:--Vide Education And Schools.

STATUTE OF LIMITATIONS:--Petition of Thomas Morgan, for amendments to said statute, (93) 550, (100) 602-603.

STATUTES:--Vide Addresses, (14.); Laws.

STEVEDORE, TRADE OF:--Petition of Thomas W. Lloyd, and others, of Quebec, that persons unacquainted with the trade of Ship Stowers, be prevented from practising the same, (169) 948, (177) 986. Referred, (178) 988.

-----Bill to regulate the trade of Stevedore, presented and read, (360-361) 2165. Order for second reading, (361) 2165.

STILLS:--Vide Duties.

SUPPLY:--Vide Revenue And Expenditure.

-----Moved to grant a Supply to Her Majesty, (385) 2323-2325. Debate thereon adjourned, (385) 2325. Debate resumed, (385) 2326-2350. Resolved that a Supply be granted to Her Majesty; House resolves to go into Committee to consider of the Supply; Estimate for 1845 - with Message of His Excellency transmitting the same, and so much of His Excellency's Speech at the opening of the Session relating thereto, referred to same Committee, (385) 2350. Considered, (385-386) 2350-2352, (387) 2362-2363, 2364-2380. Report to be received to-morrow, (387-388) 2380. Committee to sit again, (388) 2380. Resolutions reported, (389-398) 2393-2418. Amendments to several Resolutions, negatived, on division, and Resolutions agreed to, (398-399) 2418-2422, (399-400) 2422-2428. Vide Debates; Questions Negatived, (57.) Resolutions referred to Committee to report by Bill, (400) 2428. Bill reported, to make provision for defraying certain expenses of Civil Government for the year 1845, and read, (400) 2428-2429. Read second time; Committed; Considered, (409) 2459. Reported, (417) 2489. Passed, (418) 2493. By the Council, (432) 2541. Royal Assent, (441) 2572-2573. (8 Vic., cap. 69.)

-----House again in Committee on granting Supply to Her Majesty, (431-432) 2537-2539. A Resolution reported and agreed to, on division, (432) 2539-2541. Vide Questions Negatived, (69.) House again in Committee, (433) 2543. Third Report of Committee on Public Accounts referred; House again in Committee, (435) 2550. Report Resolution agreeing to Third Report of Committee on Accounts, (436) 2557.

RESOLUTIONS OF SUPPLY.	PAGES.	AMOUNT.		
		£.	s.	d.
<u>Militia, Lower and Upper Canada, for</u> 1845 . . . . .	(389) 2393- 2394	1248	2	6
<u>Legislative Council, Salaries, and</u> Contingencies, for 1845 . . . . .	(390) 2394- 2395	9036	13	4
<u>Legislative Assembly, Salaries, and</u> Contingencies, for 1845 . . . . .	(390) 2395- 2396	22243	3	0
<u>Pensions, to late Clerks and Servants</u> of the Legislatures of Upper and Lower Canada, for 1845 . . . . .	(390-391) 2396-2398	1232	13	4
<u>Education, to various Institutions</u> of Learning in Lower and Upper Canada, and Superintendents of Education . . . . .	(391-393) 2398-2402, (395) 2408, (396) 2412	9743	17	6
<u>Historical Societies, Quebec and</u> Montreal . . . . .	(393) 2403	400	0	0
<u>Mechanics' Institutes, Quebec and</u> Montreal . . . . .	(393) 2403	200	0	0
<u>Provincial Penitentiary, for support</u>	(393) 2403	12700	0	0
<u>Foundlings and Indigent Sick,</u> Quebec, Montreal, and Kingston . . . . .	(393) 2403- 2404, (394) 2405	4570	0	0
<u>Insane and Lunatics, Lower and</u> Upper Canada . . . . .	(393) 2404, (393-394) 2405	4110	0	0
<u>Hospitals, Montreal and Toronto . . . .</u>	(393) 2404, (394) 2405	3750	0	0
<u>Asylums, Orphans and Widows . . . . .</u>	(393-394) 2404-2405	1150	0	0
<u>House of Industry, Toronto . . . . .</u>	(394) 2405	700	0	0
<u>French Translator of the Laws . . . . .</u>	(394) 2406	260	5	6



RESOLUTIONS OF SUPPLY.	PAGES.	AMOUNT.		
		£.	s.	d.
<u>Sundry Payments</u> , Inspector of Chimneys, Three Rivers; Depots of Provisions on St. Lawrence; Pierre Brochu; Quarantine Establishments; Inter- preters of Courts . . . . .	(394) 2406, 2408	2072	15	6
<u>Laws</u> , Printing and Distributing . . . .	(394) 2406	4800	0	0
<u>Revised Statutes</u> , Lower Canada, Printing of . . . . .	(394) 2407	1400	0	0
<u>Public Buildings</u> , Repairs and Alterations . . . . .	(394) 2407	2000	0	0
<u>Unforeseen Expenses</u> , in the Public Service . . . . .	(394) 2407	500	0	0
<u>Enregistration</u> , Public Documents . . .	(394) 2407	150	0	0
<u>Clerk of the Crown in Chancery</u> , Contingencies . . . . .	(394) 2407	297	18	11
<u>Assessments</u> on Public Buildings, Quebec and Montreal . . . . .	(394) 2407	1987	8	3
<u>Feudal Tenure</u> , expenses of Commission	(394) 2407	1500	0	0
<u>Light Houses</u> , St. Paul and Scattarie; Gull Island; Erection of Light Houses . . . . .	(394-395) 2408, (396) 2413, (398) 2418	6469	10	3
<u>Navigation and Canals</u> , Newcastle District; St. Lawrence; Trent; Lachine . . . . .	(395) 2408, (398) 2416, 2418	28768	3	1
<u>Chambly Turnpike</u> , to meet demands . . .	(395) 2408	1500	0	0
<u>C. R. Ogden</u> , Services as late Attorney General . . . . .	(395) 2409	271	16	1
<u>Sundry Payments</u> , C. Shiller; W. Evans; J. Hallowell; Messrs. Quesnel, Cherrier, and Fisher; H. Smith Chairman Quarter Sessions, Three				

RESOLUTIONS OF SUPPLY.	PAGES.	AMOUNT.		
		£.	s.	d.
Rivers; District of Talbot; Messrs. Hall and Thorburn; Census, Rimouski; J. Brien dit Durocher; George Hamilton; Peter Fleming; Census, Saguenay . . . . .	(395-396) 2409-2411	1009	2	1
<u>New Brunswick Boundary</u> , Expenses . . .	(395) 2409	574	5	10
<u>Monklands</u> , for Additions and Repairs	(396) 2411	1005	7	0
<u>Parliament House</u> , balance for Alterations, &c. . . . .	(396) 2411	188	10	9
<u>Old Government House</u> , balance for Alterations, &c. . . . .	(396) 2411	1041	1	0
<u>Sundry Payments</u> ; Freight; Weights and Measures; J. Noble (Kempt Road) . .	(396) 2411, 2412	241	12	8
<u>House of Correction</u> , Three Rivers, to liquidate certain Debts . . . . .	(396) 2412	95	0	0
<u>Judges, Queen's Bench</u> , Travelling Expenses . . . . .	(396) 2412	2500	0	0
<u>Provincial Penitentiary</u> , Additional Salary to Warden; and for Religious Instruction . . . . .	(396) 2412, 2413	300	0	0
<u>Alwington House</u> , for Furniture missing	(396) 2412	125	8	1
<u>Revision of Statutes</u> , Upper and Lower Canada . . . . .	(396) 2413	1100	0	0
<u>Col. FitzGibbon</u> , in lieu of Certain Land . . . . .	(396) 2413	1000	0	0
<u>Roads and Bridges</u> , J. Lonney; Cascades Road; Champlain Bridge; Jacques Cartier Bridge; Kennebec Road; Gaspé Road; Chemin des Caps; Certain Bridges, South of the St. Lawrence; Athabaska Road; St. Johns and Stanstead Stage Road; Eastern Townships Road; Montreal and Gren-				

RESOLUTIONS OF SUPPLY.	PAGES.	AMOUNT.		
		\$.	c.	d.
ville Road; Chatham Bridge; Grand River Swamp Road; Rouge Hill and Bridge; Belleville Bridge; Dover Road; L'Orignal to Bytown Road; Owen's Sound Road; Scugog Road; Queenston and Grimsby Road; Surveys, Main Province Road; Amherstburg Road; Cornwall and L'Orignal Road; Portage Road at Chats; Ottawa Road; Grosse Isle Landing Wharf . .	(397-398) 2413-2417	100240	0	0
<u>Harbours</u> , Rondeau; Port Stanley; Cobourg; Windsor . . . . .	(398) 2417- 2418	4700	0	0
<u>Custom House</u> , Toronto, for Erection . .	(398) 2418	2500	0	0

SURGERY:--Vide Medicine, Surgery, And Midwifery.

SURVEYING:--Petition of John D. M'Kenzie, and others, for compensation for erroneous Survey in township of Beverly, (131) 734, (146) 806-807. Referred, (177) 987. Report, (245) 1405-1407. Report committed, (285) 1656. Committal discharged; Petition referred back to Committee, (316) 1863. Bill to establish the boundaries of the 6th, 7th, 8th, 9th, and 10th Concessions of Beverly, reported and read, (337) 1992. Read second time; Committed; Considered; Reported, (353) 2121. Passed, (354) 2136. By the Council, (400) 2429. Reserved for Her Majesty's pleasure, (441) 2572.

-----Petition of James Piersons ((or Peirsons)), and others, for a new Survey of township of Hillier, (93) 551, (100) 604. Petition of Thomas King, and others, for establishment of original Survey of Edwardsburgh, (137) 770, (166) 903. Petition of William W. Whittier, and others, against Petition of James Piersons, and others, (189) 1052. The two last Petitions referred, (101) 608, (190) 1055. Petition of Noah Halloday, and others for Survey of Tenth Concession line of North Crosby, in district of Johnstown, (193) 1096, (202) 1132. Petition of Simon Frayr ((or Fraye)), and others, that no alteration be made in certain parts of Sophiasburg and Ameliasburg, (201) 1129, (210) 1177. Petition of Thomas M'Allister, and others, for Survey of the Eleventh Concession of township of Vaughan, (210) 1175, (221) 1246. Referred to Committee on Private Bills, (221) 1248. Report, (231) 1295. Petition of James Grant (of Winchester), and others, for Survey of Third Concession of township of Winchester, (297) 1761, (307) 1818. Referred, (314) 1854-1855. Petition of John Miller, and others, for relief in new Survey in the 5th, 6th, 7th, and 8th Concessions of township of Edwardsburgh, (360)

2163, (368) 2197.

-----Despatch on reserved Bill of last Session, respecting admission of Land Surveyors in Upper Canada, (65) 425.

SURVEYOR GENERAL:--Question concerning Mr. Thomas Parke's position in the House, 358. Answer, 359.

SURVEYOR GENERAL'S OFFICE:--Bill to abolish the office of Surveyor General, and to provide the duties of said office by Commissioner of Crown Lands, presented and read, (237) 1333. Order for second reading, (262) 1540-1542. Second reading; To be engrossed, (262) 1542. Passed, (264) 1550-1555. By the Council, (285) 1657. Royal Assent, (370) 2205. (8 Vic., cap. 11.)

T

TASCHEREAU, ANTOINE C.:--Petition of, for amount for certain services awarding to him for surveying the Kennebec Road, (80) 484, (94) 552.

TAVERN KEEPERS:--Petition of William O'Brien, and others, Tavern Keepers, for relief against the taxes imposed by the City Council of Montreal, (80) 484, (94) 553. Referred, (94) 555.

TAXES:--Notice of Question concerning Government's intention of altering Upper Canadian taxation system, 57. Question, 244. Answer, 243-244. -----Vide also Assessments; Canboro' And Simcoe Road; Dog Tax; Education And Schools; Gloucester Township; Huron District; Johnstown District; Land Taxes; Municipalities, Canada East.

TEED, JOHN:--Petition of, for relief from false imprisonment, (4) 27, (12) 65. Referred, (54) 371.

TEMPERANCE HOUSES:--Vide Dog Tax; Municipal District Of Niagara.

TERREBONNE COUNTY:--Petition of Rev. M. Morin, and others, that certain parishes of county of Leinster be attached to county of Terrebonne, (99) 599, (131-132) 735.

TERRITORIAL REVENUE:--Vide Lands, Public.

TETU, MAGLOISE ((OR MAGLOIRE)):--Petition of, for remuneration for services as Treasurer of Municipal District of St. Thomas, (4) 26, (12) 65.

THOMPSON, HENRY G.:--Petition of, for employment in some Office of Legislative Assembly, (125) 711, (132) 737.

THREE RIVERS:--Petition of Pierre Vezina, for Incorporation of the town of



Three Rivers, (88) 531, (94) 554. Petition of John Whiteford, and others, the same, (193) 1096, (202) 1132. Latter Petition referred, (208) 1163.

THREE RIVERS, HOUSE OF CORRECTION:--Petition of V. Guillet, and others, Commissioners, for aid, (207) 1162, (217) 1209.

THURLOW GRAMMER SCHOOL:--Vide Addresses, (88.)

TIMBER:--Vide Lumber.

TINWARE:--Petition of G. B. Asselin & Co., and others, Tinsmiths, of Montreal, that a tax equal to what they pay be imposed upon Pedlars of Tinware, (366) 2192, (375) 2277.

TOBACCO:--Petition of Joseph Munger, Sr., and others, for encouragement to growers thereof in the Western District, (145) 805, (170) 950. Of W. A. Dixie, and others; of John Dawson, and others; and of Prideaux Girty, and others, the same, (201) 1130, (211) 1177.

-----Select Committee appointed to prepare an Address to Her Majesty, recommending a reduction of the Imperial Duty on Tobacco imported from this Province, (318) 1900. Address reported and agreed to, (318-319) 1900-1902. Vide Addresses, (6.)

-----Vide also Duties.

TOLLS:--Petition of John Yule, Jr., for authority to erect a toll bridge over the River Richelieu, (4) 26, (12) 64. Referred, (15) 113. Of Mrs. M. A. J. Hertel de ((or De)) Rouville Glen, on subject of Petition of John Yule, Jr., (32) 262, (46) 334. Bill reported, (54) 371-372. Read, (54) 372. Read second time; Referred to Committee on Private Bills, (136) 749. Reported and amended, (217) 1210-1211. Committed, (219) 1221. Considered, (286) 1659. Reported, (291) 1678. Passed, (292) 1688. By the Council, with amendments, (361) 2166. Amendments considered and agreed to, (368) 2199. Royal Assent, (441) 2571. (8 Vic., cap. 90.)

-----Petition of Samuel Price, and others, of York County, to build a toll bridge, (40) 300, (53) 367. Referred, (54) 371. Bill to erect a toll bridge over the River Credit, reported and read, (381) 2304. Order for second reading, (381) 2304.

-----Petition of Henry B. Bostwick, for reduction of tolls at Port Stanley, (80) 485, (94) 553. Referred, (125) 712-713. Also Petition of A. M'Kinnon, and William F. Wallace, referred, (126) 713. Reported, (213-214) 1187-1188. Petition of Adam Irvine, and others, for removal of a toll gate in district of Gore, (92) 549, (99) 601. Referred, (147) 808. Report, (196) 1103.

-----House resolves to go into Committee to consider of authorizing the levying of tolls on certain Public Works in this Province, (413) 2478. Considered, (413) 2479. Resolution reported and agreed to, (419) 2494. Infra.

-----Bill to make provision for levying tolls on certain Public Works, and for proper use of said Works, presented and read, (419) 2494. Read second time; Committed; Considered; Reported; Passed, (429) 2531. By the Council, (436) 2555. Royal Assent, (441) 2573. (8 Vic., cap. 30.)  
 -----Vide also River St. Charles.

TONNAGE:--Vide Addresses, (76.)

TORONTO AND LAKE HURON RAILROAD:--Vide Railroads.

TORONTO BOARD OF TRADE:--Vide Boards Of Trade.

TORONTO CHURCH SOCIETIES:--Vide Clergy Reserves.

TORONTO CITY:--Petition of Charles Berczy, and others, for opening Colborne Street, in said City, (14) 110, (23) 221. Referred, (54) 370.

-----Bill to amend the Act of Incorporation, by establishing a Recorder's Court, in lieu of the Mayor's Court as now established, presented and read, (171) 955-956. Read second time; Committed, (222) 1253.

TORONTO GAOL:--Petition of Municipal Council, Home District, that the city of Toronto pay a more adequate sum for support of the city prisoners therein, (288) 1668, (293) 1689.

TORONTO GAS LIGHT AND WATER COMPANY:--Petition of Albert Furniss, for amendment to the Act of Incorporation, (182) 1019, (194) 1098. Referred, (293) 1690. Report, (355) 2140-2141.

-----Bill to amend the Act presented and read, (355) 2141. Read second time; Committed; Considered; Reported, (433) 2543. Passed, (434) 2548. By the Council, (436) 2556. Royal Assent, (440) 2570. (8 Vic., cap. 85.)

TORONTO HARBOUR:--Vide Addresses, (70.)

TORONTO INDUSTRIAL FARM:--Bill to authorize the Mayor and Corporation to purchase an Industrial Farm. Notice of Motion, 358. Bill presented and read, (55) 376. Read second time; Committed, (95) 557. Considered, (95) 557-559. Reported, (95) 559-560. Passed, (95) 565.

TOWNSHIPS:--~~Notice of~~ Question regarding Government's intention to introduce Bill for the Incorporation of Townships, 57.

TOWNSHIPS, MIDLAND DISTRICT:--Bill to form certain parts of Loughborough, Pittsburgh, and Kingston, in the Midland District, into a new Township. Notice of Motion, 44. Bill presented and read; Order for second reading, (10) 53.

TRADE:--Vide Boards Of Trade.

TRANSLATORS:--Petitions of William B. Lindsay, Jr., and of Honoré Tanguay, to be appointed Assistant French Translators of Legislative Assembly, (9) 50, (15) 111. Petitions referred, (15) 112. Letter of G. W. Wicksteed on same subject, also referred, (62) 417. Report, (126-128) 713-719. To be printed; To be considered, (128) 719. Considered, (187) 1038. To concur in the Report, negatived, on division, (187) 1039-1040.

TREASURERS:--Vide District Treasurers.

TRENT:--Vide River Trent.

TRINITY HOUSES:--Petition of Board of Trade, Montreal, for permanent establishment of Trinity House in Montreal, (17) 152, (27) 230. Petition of L. Baribeau, and others, against Petition of Board of Trade, Montreal, (137) 770, (166) 902. Referred, (276) 1618. Infra. Petition of Thomas Harnez, and others, that the tax contemplated by Trinity House, Quebec, be not sanctioned, (4) 27, (12) 66. Of F. X. Lachance, and others, Pilots, the same, (224) 1270, (234) 1325.

-----House resolves to go into Committee to consider of expediency of repealing Acts relating to Trinity Houses of Quebec and Montreal, and regulating Pilots, &c., (92) 545. Order discharged, (172) 957.

-----Bill to amend and consolidate certain Laws and Ordinances relating to Trinity House, Montreal, and Pilots of the Port of Montreal, presented and read, (222) 1252. Read second time, (275) 1597-1598. Referred, (275) 1598. Petition of L. Baribeau, and others, also referred to same Committee, (276) 1618. Also Petition of Master and Warden of Trinity House, Quebec, (289) 1671. Also Petition of Jacques Lemlin, and others, (298) 1763.

-----Petition of Master and Wardens of Trinity House, Quebec, against the 46th Section of the Bill, (276) 1616, (288) 1669. Referred, (289) 1671. Supra.

-----Bill to amend and consolidate the Laws and Ordinances relating to Trinity House, Quebec, and Pilots of the Port of Quebec, presented and read, (222) 1252. Order for second reading discharged, (306) 1812-1813.

-----Petitions against the Bill: Of Thomas Brownlee, and others, (292) 1687, (298) 1763. Of Laurent Tremblay, and others, (311) 1846, (324) 1928. Referred, (360) 2165. Vide Pilots.

-----Accounts of the Corporation of Trinity House, Quebec, laid before the House, (32) 261. Also, Accounts of the Trinity House, Quebec, for the year ending 31 December 1844, laid before the House, (175) 981-982.

-----Vide also Addresses, (59.)

TRUST AND LOAN COMPANY:--Petition of Robert Pulsford, and others, for amendment to Act incorporating said Company, (298) 1761, (307) 1818.

-----Bill to amend the Act, incorporating Upper Canada Trust and Loan Company, presented and read, (306) 1811. Read second time; Committed, (344) 2028. Considered; Reported, (344) 2029. Passed, (345) 2034.

By the Council, (357) 2147. Royal Assent, (370) 2205. (8 Vic., cap. 96.)

TURGEON, CHARLES:--Petition of, for rent of a House occupied by Municipal Council, district of Quebec, (23) 219, (34) 266.

TURNPIKE ROADS:--Vide Montreal Turnpike Roads; Quebec Turnpike Roads; Roads And Bridges.

TURQUAND, BERNARD:--Vide Addresses, (43.)

## U

UNICORN:--Notice of Question concerning the steamer "Unicorn," 56. Question; Answer, 242.

-----Vide also Addresses, (41, 98.); Governor General, Messages From His Excellency, (4.)

UNION ACT:--On the 41st Section, respecting the use of the English and French Languages. Vide Addresses, (5, 22.); Governor General, Messages From His Excellency, (1.)

UNION BRIDGE, OTTAWA RIVER:--Vide Addresses, (39.)

UNITARIANS:--Petition of Rev. John Cordner, and others, that the Christian Unitarians be allowed to enjoy the same privileges as other Religious Denominations, (182) 1019, (194) 1098. Referred to Committee on Private Bills, (195) 1100. Report, (204) 1138-1139.

-----Bill to afford relief to "Christian Unitarians" at Montreal, presented and read, (208) 1164. Read second time; Referred to Committee on Private Bills, (238) 1353. Reported, (314) 1855. Committed, (317) 1864. Considered, (329) 1949. Reported, (339) 2000. Passed, (341) 2016. By the Council, (355) 2140. Royal Assent, (370) 2206. (8 Vic., cap. 35.)

UNIVERSITIES:--Petitions for amendments to Charters of Incorporation of Universities of King's, and McGill Colleges: Of Rev. James Robertson, and others, (4) 27, (12) 66. Of Canada Baptist Union, (14) 110, (23) 221. Of Rev. J. Anderson, and others, (14) 110-111, (24) 223. Of Rev. Robert V. Hall, and others, (22) 217, (33) 265. Of Rev. John Borland, and others, (30) 255, (42) 307. Of Rev. E. J. Sherrill, and others, (31) 255, (42) 307. Of Municipal Council (Bathurst); of Aliel Stiles, and others, (56) 387, (81) 485. Of David Gibbs, and others, (56) 387, (81) 485-486. Of Rev. H. Esson, and others, (80) 485, (94) 553. Of Trustees of Queen's College, (131) 734, (146) 807.

-----Petitions against alterations in the Charters of King's, or McGill Colleges: Of Peter Lampman, Sr., and others, (145) 804, (170) 949. Of John Felton, and others, (193) 1096, (202) 1131. Of William R.



Doak, and others, (193) 1096, (202) 1132. Of Rev. John Butler, and others, (217) 1209, (226) 1274. Referred, (226) 1275. Vide Royal Institution. Of David Connell, and others, (225) 1270, (234) 1325. Of T. J. Taylor, and others, (231) 1293, (234) 1325. Of Rev. Richard Lonsdell, and others, (243) 1393, (252) 1474. Referred, (252) 1474. Vide Royal Institution. Of Rev. James Reid, and others, (263) 1548, (276) 1617. Of Rev. George Slack, and others, (263) 1549, (276) 1617. Of Dudley Kerrison ((or Kennison)), and others, (311) 1845, (323) 1925. Of Rev. R. ((or E.)) Whitwell, and others, (311) 1845, (323) 1925.

-----Notice of Question relating to Government's intention to introduce a Bill for amending the Charter of King's College, 57. Question; Answer, 243.

-----Question regarding King's College; Answer, 294. Another Question; Answer, 726.

-----Question concerning Government measures; Answer relating to University Bill, 546.

-----Notice of Motion for Committee to enquire into allocations of Lower Canada Universities, 1423.

-----Bill for erecting a University, by the name and style of the "University of Upper Canada", presented and read, (319) 1903-1905. Second reading postponed, on division, (349) 2064-2104. Second reading, on division, (374) 2249-2272. Vide Questions Negatived, (52.)

-----Bill for vesting the Endowment for University Education in Upper Canada, in the University of Upper Canada. Notice of Motion, 1894. Bill presented and read, (319) 1905. Second reading postponed, (350) 2106. Second reading, (374) 2272.

-----Bill to repeal a certain Act, and to alter and amend the Charter of the University of King's College. Notice of Motion, 1894. Bill presented and read, (319) 1905. Second reading postponed, (350) 2106. Second reading, (374) 2272.

-----Petitions against the Bill to amend the Charter of King's College: Of Robert Stanton, and others, (323) 1925, (331) 1964. Of Right Rev. Bishop of Toronto, (341) 2014-2015, (351) 2113. Of Church Society of Toronto, (360) 2163, (367) 2196. Of Hon. J. B. Robinson, Chief Justice of Upper Canada, and others, (366) 2192, (368) 2199. Last Petition to be printed, (368) 2199. Of Rev. William Bettridge, B. D., and others, (366) 2192, (375) 2277.

-----Petition of Council of King's College, to be heard at the bar by Counsel against the several Bills, (341) 2014, (346) 2037. Debates, (346) 2037-2054. Motion for the House to proceed to the Orders of the Day, (346) 2054-2056. On division, (346-347) 2056. Counsel to be heard, (369) 2199-2200. Counsel heard, (374) 2219-2249.

-----Bill to enable the Corporation of the University of McGill College to hold and dispose of certain property for the better support thereof, presented and read, (369) 2201-2202. Read second time; Committed, (433) 2545. Considered, (434) 2545-2546. Reported, (434) 2546. Passed, (435)

2551. By the Council, (437) 2561. Royal Assent, (440) 2569. (8 Vic., cap. 78.)

- Papers relative to the University of King's College, laid before the House, by order of His Excellency, (319) 1906.
- Despatches on same subject, laid before the House, by order of His Excellency, (347-349) 2057-2063. To be printed, (349) 2063.
- Despatch on subject of University of Kingston, (421-422) 2504-2506. To be printed, (422) 2506.
- Vide also Addresses, (27, 61, 94, 111.)

UPPER CANADA GAZETTE:--Resolution that the furnishing of the Upper Canada Gazette to the Members of this House be dispensed with, (295) 1697.

URSULINE CONVENT:--Petition of, at Three Rivers, to enable said Convent to hold certain property, (9) 51, (15) 112. Referred, (27) 231. Report, (38) 286.

- Bill to enable the Nuns of said Convent to hold certain property, presented and read, (38) 289. Read second time, Committed, (143) 794. Considered; Reported, (192) 1077. Passed, (194) 1097-1098. By the Council, (239) 1374. Royal Assent, (370) 2205. (8 Vic., cap. 103.)

USURY LAWS:--Petition of William Langril, and others, for amendment to Usury Laws, (95) 564, (125) 712. Petition of Board of Trade, Montreal, for repeal of the Usury Laws, (220) 1244, (226) 1274.

- Notice of Question regarding Government's intention to introduce Bill to amend Usury Laws, 57.

## V

VALLERAND, FLAVIEN:--Petition of, for payment of services as Clerk to Municipal Council, district of Richelieu, (323) 1925, (331) 1964. Referred, (331) 1965. Vide Municipalities, Canada East.

VAUX, THOMAS:--(Second Office Clerk to Legislative Assembly.) Petition of, for an increase of Salary, (281) 1643, (293) 1689. Referred to Committee on Contingencies, on division, (293) 1689-1690.

VIGER, HON. DENIS BENJAMIN:--Vide Addresses, (25, 46.)

## W

WAR LOSSES:--Vide Addresses, (78.)

WEEKS, HENRY:--Petition of, committed; Considered, (382) 2306. Reported, (387) 2362.

- Vide also Governor General, Messages From His Excellency, (19.)

WELLAND CANAL:--Message of His Excellency, respecting the Stock held by private individuals in said Canal, committed, (387) 2361. Considered, (402) 2433-2434. Resolution reported and agreed to, on division, (408) 2457-2458.

-----Bill to amend the Act for purchasing Stock in Welland Canal, held by private Stockholders, (408) 2458. Read second time; Committed; Considered, (419) 2495. Reported, (429) 2530. Passed, (429) 2530-2531. By the Council, (436) 2556. Royal Assent, (440) 2570. (8 Vic., cap. 74.)

-----Vide also Addresses, (84.)

WELLINGTON DISTRICT:--Vide Land Taxes.

WEST BOLTON TOWNSHIP:--Petition of Alvan Williams, and others, that said Township be attached to county of Shefford, (30) 255, (42) 307. Vide Bolton And Hatley Townships.

WESTERN RAILROAD:--Vide Railroads.

WILCOX, LEONARD:--Petition of, for relief from certain grievances, (44) 329, (53) 368.

WILD GAME:--Vide Game.

WILLIAMS, ADOLPHUS:--Petition of, for relief as Pound Keeper, (125) 711, (132) 737. Referred, (183) 1023. Report, (190) 1056.

WILLIAMS, TITUS:--Petition of, to be heard at the bar by Counsel on a charge against him, as Returning Officer for township of Walsingham, county of Norfolk, (385) 2322.

WILLIAMS TOWNSHIP:--Petition of Alexander Campbell (of Williams), and others, for separation of said Township from Huron District, (145) 805, (170) 950. Petition of Municipal Council, district of Huron, against separation of said Township, (276) 1616, (288) 1669.

WILSON, DUNCAN:--Petition of, for relief, (93) 550, (100) 602.

WINDSOR HARBOUR:--Vide Addresses, (82.)

WINTER CARRIAGES:--Petitions on Ordinances of Lower Canada respecting Winter Carriages: Of Rev. Thomas Pepin, and others, (32) 262, (46) 333-334. Of Joseph Daout, and others, (32) 262, (46) 334. Of C. Larocque, and others, (88) 531, (94) 553-554. Of President and Members of Agricultural Society, district of Montreal, (93) 551, (100) 604. Of J. B. Lavigne, and others, (125) 711, (132) 737. Of Rev. Antoine Fisette, and others, (125) 711, (132-133) 737-738. Of Octave Bordeleau, and others; of Martin Dostaler, and others; of Elie Paquin, and others,

(125) 711, (133) 738. Of Rev. L. O. Desilets, and others; of Rev. S. J. A. Dumoulin, and others; of Louis Pratt, and others, (169) 948, (177) 986. Of Daniel A. Wilson, and others, (193) 1095, (202) 1131. Of P. T. ((or P. J.)) Masson, and others, (207) 1162, (217) 1209. Of Rev. P. Pouliat ((or Pouliot)), and others; of Thomas Fortier, M. D., and others, (250) 1438, (256) 1497. Of Rev. C. Dion, and others, (255) 1496, (264) 1556. Of Stephen Payment, and others, (259) 1522, (264) 1557. Of Etienne P. Nourrie, and others, (263) 1548, (276) 1617. Of J. O. A. Turgeon, and others, (273) 1594, (281) 1644. Of Joseph Smith, M. D., and others, (295) 1716, (303) 1804. Petitions referred. Vide Winter Roads.

WINTER ROADS:--Petitions on Ordinance of Lower Canada, respecting Winter Roads: Of Michel Houle, and others, (33) 264, (47) 337. Of Daniel de Hertel, and others, (39) 299, (52) 364. Of Joseph Rogers, and others, (44) 328, (53) 367-368. Of Ambroise Lépine, and others, (176) 982, (188) 1051. Of Louis Bélanger, and others, (188) 1050, (195) 1100. Of Rev. Lebourdais, and others; of Rev. L. Aubry, and others, (217) 1209, (226) 1274. Of D. Trudel, and others, (255) 1496, (264) 1556. Petitions referred; also Petitions on Winter Carriages to same Committee, (89) 534, (101) 607, 607-608, (133) 738, (138) 775, (178) 988, (195) 1101, (211) 1179, (217) 1209-1210, (226) 1275. Report, (257) 1501.

-----Bill to repeal in part the Ordinances relating to Winter Roads in certain parts of Lower Canada, presented and read, (222) 1253. Read second time; Committed, (262) 1543. Also referred to Committee of whole: Petitions of D. Trudel, and others, (265) 1561. Of Rev. P. Pouliat, and others, (289) 1670. Of Thomas Fortier, M. D., and others, (289) 1670-1671. Of Rev. C. Dion, and others; of Stephen Payment, and others, (289) 1671. Of Joseph Smith, M. D., and others, (304) 1805. Bill considered; Reported; Passed, (435) 2549. By the Council amended, (438) 2561. Amendments agreed to, (439) 2565. Royal Assent, (440) 2568. (8 Vic., cap. 52.)

-----Bill further to amend the Laws relative to Winter Roads in Lower Canada, presented and read, (271) 1582. Read second time, (306) 1813-1815. Committed; Considered, (306) 1815. Again considered, (310) 1837-1839. Reported, (310) 1839. Vide Questions Negatived, (37.) Passed, on division, (313) 1851-1852. By the Council amended, (408) 2456. Vide Questions Negatived, (62.) Consideration of amendments in six months, on division, (426) 2520.

WOLFF, ALEXANDER JOSEPH:--Petition of, for amount due him as Superintendent in opening the Kempt Road, (30) 254, (41) 304.

WOLVES' DESTRUCTION:--Notice of Motion for increasing the bounty for the destruction of wolves, 43.

WOOLRICH, MRS. MEHETTABLE SHAW:--Petition of, for aid for services rendered by her late husband during late Rebellion, (10) 60, (18) 154.



Y

YAMASKA COUNTY:--Vide Elections, Controverted, Yamaska County.

YORK COUNTY:--Vide Elections, Controverted, York County, Fourth Riding;  
Elections, Controverted, York County, Third Riding.

YOUNG, BERNARD ((OR BARNARD)), AND ALANSON CUMMINGS, AND OTHERS:--Petition  
of, for consideration of their Petition of 1842, (176) 982, (188) 1051.













3 1761 11465202 7